
THE
HISTORY
OF THE
REIGN
OF
GEORGE THE THIRD.

HISTORICAL

NOTES

GEORGE THE THIRD
FIRST OF MAY

1760

GEORGE THE THIRD

Gal 5. C/c

THE
HISTORY
OF THE
REIGN
OF
GEORGE THE THIRD,
KING OF GREAT BRITAIN, &c.

FROM THE CONCLUSION OF THE
THIRD SESSION OF THE THIRTEENTH PARLIAMENT,
IN 1770, TO THE END OF THE LAST SESSION OF
THE FOURTEENTH PARLIAMENT OF GREAT
BRITAIN, IN 1780.

Ο μὲν ἐν ταῖς αἰσῶσι, καὶ οὐ πολλὰς ὁροῖδας καὶ βολὰς διδόναι
ἐπαύριον δὲ ἀπολαύσαντες, μὲν τὰς τῶν γεγενημένων ὁρίων ὅμως ἀντηρῶσι.

DEMOSTHEN. OLYNTHIAC, II.

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HISTORY

OF THE

REIGN OF GEORGE III.

[1770.]

IT is to be lamented, that when there is a misunderstanding betwixt the ministry and the people of England, both parties lose sight of the grand object of union, and their respective interests are mistaken for a zeal in the public service. The last parliament had given universal dissatisfaction, and that not so much for what it had done, as for what it had neglected to do. Much was expected, because much was promised, and much was necessary. The shuffling manner in which the grievances at home, and the discontents in America, were treated, increased the growing discord. Enquiries were proposed, but no sooner proposed, than means were fallen upon to evade or disappoint them. Clemency was recommended, and severity practised. Petitions from abroad were rejected with solemn contempt, and petitions at home with affected ridicule. Hence it is not to be wondered if the prospects of tranquillity

quillity, which seemed happy at the beginning of this reign, were now near at an end.

While our differences at home were thus multiplying, they began to engross the exclusive attention of the nation. But France and Spain were not unaffected by our proceedings, nor displeased that our wonted unanimity seemed to be on the decline; they did not, however, wish to rouse us from this lethargy till they should be enabled to profit by it, as an eligible opportunity for some decisive blow, in order to retrieve their former losses. Perhaps, indeed, there never was a time when England was less prepared for a continental war than the present; yet during the recess from parliament, the rumour of a rupture with the house of Bourbon was circulated, and backed with considerable proofs. The Spaniards had a powerful fleet in the West Indies, and both in Spain and France the dock-yards were in continual employment. The experienced few foresaw an attack from some quarter, but as the parliament had declined the proposed increase of seamen, the public in general felt unwilling to torment themselves with groundless jealousies.

It was not long, however, before these suspicions were amply confirmed by a dispute between the English and Spaniards, relative to Falkland's islands. Some account of these islands it is necessary to premise, as this affair took up the attention of the following parliament in a very great and serious degree. It is about two hundred years since Falkland's islands were first discovered by an Englishman, who either made no farther use of his discovery than to gratify curiosity, or was disappointed in his hopes of a settlement on them. The Dutch, a few years after, fell in with them, and claimed the honour of having been the first

first who did so; but so little did they think of establishing on these islands, that for a whole century there was so little mention made of them, as to create doubts of their existence, if they happened to be named. Both French and English ships occasionally touched at them, and gave different descriptions, according to the part at which they landed, or the accuracy of their researches. Sir John Narborough was sent out by Charles the Second, with a view to establish a correspondence with the Indians of Chili, who were supposed to conceal the richest gold mines of that place from the Spaniards, dreading their tyranny, and lest they should subject them to slavery, if ever they became masters of the mines. The Spaniards now began to express their apprehensions; but Sir John returned without having been able to effect his purpose, and barely made some discoveries, which reflected merit on the attempt. It is thought King Charles took the hint from the Dutch, who some time before had equipped a fleet on an expedition to the coast of Chili, but without success. It was urged that, independent of working the mines, it was an object of the first importance to establish commerce with the natives, on this account especially, that whales are there in much greater abundance than in any part of Greenland. A famous navigator says, that for one whale in Greenland, an hundred may be found in the high southern latitudes.

But we do not find that any proposals relative to these islands met with much attention, nor that their value was understood, till the publication of Lord Anson's voyage. In it his Lordship demonstrated the danger our navigators run, by being exposed to the treachery of the Portuguese in Brazil; and that it was a matter of the utmost

moment to discover some place more to the south, where ships might be supplied with necessaries for their voyage round Cape Horn. Among other places eligible for this purpose, he specified Falkland's islands, in the latitude of fifty-one and a half, near the straits of Magellan, at the utmost extremity of South America. Accordingly, when his Lordship was at the head of the admiralty, preparations were made for this expedition; but great opposition having followed both at home, and by the court of Madrid in remonstrances, the design was laid aside till the year 1764, when Lord Egmont called the attention of the public again to it. In consequence of this, Commodore Byron was sent out in the year 1764; and after making the necessary discoveries, he took possession of Falkland's islands in the name of his master. Falkland's islands consist of two great islands, and a number of lesser ones; with numerous, and, in some parts, very deep interfections by water. Port Egmont, the settlement Commodore Byron made, lies on a small island adjoining to the greatest and most westerly of the two large islands. But it is singular that two English officers, men of considerable experience and discernment, should differ so essentially in their opinions of these islands. Commodore Byron represented them as being large, the harbour plentiful in water, the soil fruitful, the iron not scarce, and wild fowl in great abundance. On the other hand, Captain M'Bride, who succeeded him, affirms, that these islands consist of nothing but a mass of islands and broken lands, the soil marshy, the storms perpetual, even in summer, and that the vegetables planted by Captain Byron had withered. He allowed, however, that the goats, sheep, and hogs had increased considerably.

Some of these inconveniences are not to be wondered at under the latitude fifty-one, when frequent storms prevent much continued summer weather; and, upon the whole, on account of an excellent harbour, and the cultivation which the ground, under proper management, might receive, the acquisition was represented to the public to be of great importance.—In this manner did the English possess themselves of Falkland's islands: let us now see what part Spain acted.

The numerous losses which the French had sustained by the last war, had drained their treasure to a degree so great, that, when some spirited projector suggested the expediency of sending out a fleet in order to make new discoveries in the southern ocean, the scheme could not be put into execution at the public expence. M. de Bouganville, colonel of a regiment of foot, assisted by his friends, undertook this business at their private expence and peril; and fitting out two small vessels, he first directed his course to Falkland's islands, called by the French the Malouine islands. He had seen Lord Anson's book, and formed great expectations from the scheme; convinced that a port in these islands would be advantageous, not only as a place of refreshment for the French East-Indiamen, but likewise of greater consequence, if ever he should be able to extend his discoveries in the Pacific Ocean. In pursuance of this plan, some time in the beginning of the year 1764, he landed on the Falkland's islands, and built a small fort, which he named Fort Louis, on the lesser and most eastern of the larger islands. For some time he thought his expectations were rather exceeded than disappointed. His accounts not only confirm those of Byron, but he is even more warm than Byron

was in praise of the fertility of the soil, and the great plenty of fowl and fish. He found also some firing, which was of the greatest use to his company. The much-wanted discoveries in the Pacific Ocean not turning out so advantageously as he expected, or whether from political motives, it is uncertain, but about two years after Fort Louls was built, it was yielded freely to the Spaniards. M. de Bougainville was rewarded for his expences, and the French having given up every claim of discovery or occupancy, the Spaniards, in 1766, took possession of the islands with some troops, and changed it's name to Port Solidad. Whether the English and Spanish islanders were known to each other, is uncertain.

In the year 1769, Captain Hunt, of the Tamar frigate, cruizing off the islands, fell in with a Spanish schooner belonging to Port Solidad. Captain Hunt charged the commander of the schooner to depart from that coast, as it was the property of his Britannic Majesty. The schooner returning, brought an officer from the Spanish governor of Buenos Ayres, who wrote to Captain Hunt, that, as he supposed Captain Hunt's being there was merely accidental, he would shew him every instance of civility which he might stand in need of, but at the same time warned him to depart from a coast which belonged to the King of Spain. Captain Hunt replied with some warmth, asserting the right of Britain to these islands both by discovery and settlement. This produced considerable altercation by letters, which continued for some time. Soon after, two Spanish frigates of considerable force arrived at Port Egmont, and charged Captain Hunt with violation of public treaties, and that this matter should be represented

resented at the court of Madrid. Captain Hunt still persisted in his former opinion; but thinking it a matter wherein he ought not to proceed far without advice from home, he set sail for England, and arrived in June 1770. Two small sloops remained at Port Egmont, one of which was soon after lost. On June the 4th, a Spanish frigate, and three days after four more, arrived at Port Egmont, with a great number of guns, store of ammunition, and every thing necessary for a regular siege. Captain Farmer, seeing their intentions, endeavoured to strengthen the place; but finding it impracticable, and that the Spaniards were determined to make themselves masters of it, nay, had actually fired some shot, he thought it proper to capitulate. The English were ordered to depart within a certain limited time, carrying with them what stores they could; the Spanish governor promised to answer for the safety of what they were obliged to leave behind. The agreement relating to the *manner* of their departure was entered into, as proposed; the *time* was to be determined by the governor, who fearing lest the English should transgress this last injunction, ordered the rudder of Captain Farmer's ship to be taken off and kept on shore; an insult to the British flag, which is always resented with the greatest indignity. With the force, however, which in vaunting cowardice he brought, had the Spanish governor ordered the whole crew of the ship, and the inhabitants of the island, to be put to death, it would have been equally practicable. At length the Favourite was permitted to depart, and after a voyage of seventy days arrived safe at Portsmouth.

This strange affair seemed to determine war to be inevitable. Great preparations indeed were

not made for it on our part, till long after the arrival of our people from Falkland's island, but many thought it necessary, and argued thus.—The English possess natural fondness for war, a lively sensibility to whatever may wound their private or their public character; and consciousness of, and value for national dignity are qualifications that militate powerfully in their favour. Taxes are increased, and debt accumulates. Many late proceedings have not only created a misunderstanding betwixt the people and the ministry, but, besides this, it is neither unreasonable nor uncharitable to suppose, that the latter have been long contriving, and daily by slow degrees carrying into execution, measures unfriendly to civil liberty, and productive of all the consequences of despotism. The miseries of foreign war are sometimes great, but the miseries of civil discord are infinitely greater: in the midst of danger from the former, many important advantages may be gained, and a succession of victories may re-establish our lost dominion over the pride of Bourbon; but in the case of the latter, any seeming success is but a lingering step from inevitable ruin. The ministry are unpopular, their conduct is subversive of the constitution, and they will not resign. If a war ensues, this want of popularity, by being the means of withholding supplies, will involve them in difficulties and disgrace, and oblige them to give up places they are unfit to fill.—Added these arguments, which are more specious than solid, some of the ministry revived the stale maxim, that in the case of civil discord, a war is a necessary evil, and tends to restore tranquillity. We are to look to the most barbarous ages, and to the most tyrannical governments, for a maxim of this kind, which
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is a solecism in the eye of wisdom, and fallacious in point of fact. In justice to them, however, it may be supposed they were not serious in advancing it, since they did not proceed upon it. —A terrible fire, which about this time broke out in the dock-yard of Portsmouth, excited numberless jealousies. It was reckoned a wilful fire, and some did not scruple to impute it to the insidious designs of our enemies on the continent. The loss, though very great, was considerably lessened by vigorous assistance, and the dispatch used in repairing those parts of the buildings which were most wanted.

Though the rumour of war began, even before the rising of the late parliament, to be very prevalent, it was not sufficient to weaken the attention of the people to what they deemed their more immediate interest. Not wholly disheartened by the pertinacious rejection of their addresses to the throne, they again had recourse to this expedient, as the only one in their power. A few days after the rising of the parliament, an address, remonstrance, and petition, was presented by the city. In it they lamented the heavy displeasure under which they seemed to have fallen with his Majesty, as appeared by his answer to their last address; and again they begged to renew their former petition respecting the dissolution of parliament. The answer to this we shall give at full length, not so much from any particular admiration which it is entitled to, as from the extraordinary consequence to which it happened to lead. His Majesty was pleased to speak in the following manner.

“ I should have been wanting to the public, as
“ well as myself, if I had not expressed my dissatisfaction at the late address. My sentiments
“ on

"on that subject continue the same, and I should
"ill deserve to be considered as the father of my
"people, if I could suffer myself to be prevailed
"upon to make such an use of my prerogative as
"I cannot but think inconsistent with the interest,
"and dangerous to the constitution of the king-
"dom."

Whether Mr. Beckford, then Lord Mayor, and who presented the address, foresaw this answer, and prepared for something of the kind, or whether sudden indignation animated his invention, is uncertain; but he demanded leave to answer the King! a proceeding perhaps altogether unprecedented, at least unheard of in this century. He was, however, permitted to speak. The first part of his reply was almost an abridgment of the petition; the latter part deserves to be recorded, on more accounts than one.

"Permit me, Sire, further to observe, that who-
"ever has already dared, or shall hereafter en-
"deavour, by false insinuations and suggestions,
"to alienate your Majesty's affections from your
"loyal subjects in general, and from the city of
"London in particular, is an enemy to your Ma-
"jesty's person and family, a violator of the pub-
"lic peace, and a betrayer of our happy consti-
"tution as it was established at the glorious and
"necessary revolution."

No answer was made to this, but it gave rise to many different opinions; and by the majority of the nation was called a bold step. Even they who blamed it most, admired the manly and spirited manner in which he delivered his sentiments. The people, as it may be expected, almost adored him for the deed. The court party called it *indecent, unprecedented, impudent, and little short of high treason*; and could they have moulded the laws

laws of treason to their own purposes, there can be little doubt they would have embraced so favourable an opportunity. The resentment of the court was discharged in a manner more gentle.—When afterwards Mr. Beckford went to St. James's with an address on the Queen's safe delivery of a princess, he was formally told that "As his Lordship had thought fit to speak to his Majesty after his answer to the late remonstrance, as it was unusual, his Majesty desired that nothing of the kind might happen for the future."

In the following month Mr. Beckford died.—This event was sorely lamented by many who looked up to him as the guardian of their liberties. His character was held in reverence, and his opulence procured him respect from the great, and exempted him from any dependence on their influence. A costly monument was erected to his memory in Guildhall, on which was inscribed his answer to the King.

A petition from Surry, one from Westminster, and a third from London, presented after the meeting of the parliament in November, met with the usual fate to which all petitions from the people seemed now doomed. The freeholders of York would have followed the example of London, but, despairing of any success, contented themselves with sending, to their members, a spirited letter of thanks for the active part they had taken in vindicating their rights, and enjoined the practice of every parliamentary mode of redress; and even, where possible, the impeachment of the men whose advice had created the present grievances. A few more instances of general discontent took place at and before the meeting of parliament. The circumstances attending the late

late peace were recalled to memory. Though the navy was never in a worse condition than now, the sailors every where avoided the service. Near the end of August, sixteen ships of the line were ready for sea; but the legality of press-warrants (at this time issued) being questioned, the manning of these ships became a matter of great difficulty. The new Lord Mayor, Crosby, refused to back the press-warrants. Such circumstances created a painful suspense, which it was hoped would be relieved by the meeting of parliament. This happened on November 13. During the recess no change had taken place in the ministry. Lord North maintained a powerful ground, aided by a great majority. The same day the parliament met, Mr. G. Grenville departed this life, and many of his party went over to the court. The Earls Chatham, Temple, and Shelburne strengthened the Rockingham party. The speech from the throne began with mention of the insult lately offered to the honour of this nation by an act of the *Governor of Buenos Ayres*, in seizing one of his Majesty's possessions; that an immediate demand of satisfaction should be made for this injury; that the necessary preparations, in order to do ourselves justice, had also been made; that these preparations should not be discontinued. As to the colonists, it observed, that notwithstanding the cessation of the combinations which distressed the commerce of the country, there were still grounds of complaint from Massachusetts Bay; the speech concluded with an apology for the increase of supplies, and recommending unanimity.

The disputes on the subject of the addresses ran very high. The ministry urged a spirited address, because it would convince our enemies, that
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however dissentient on particular occasions we may be from each other, yet no people on earth were more unanimous against a common enemy. They farther argued, that an address was by no means intended for any minister, but merely as a compliment to the throne; and at this crisis to make invidious objections could proceed from nothing but an inclination to insult the dignity of the crown. Amidst the greatest dissensions at home, no man would ever think of dwelling on those, to the neglect of his right and property when invaded by a common foe. In such a case no man could withhold his assistance, merely because he was dissatisfied with the conduct of some public affairs. Administration deserved much for their animated exertions in putting a stop to the troubles in America. As for the defenceless state of our fleet, so much complained of, it was impossible to fit it out sooner, as the seamen were engaged in the service of trading ships, and not likely to return in a short time; but our character for courage, added they, is too well established to lay us under the necessity of shewing an over-great sensibility to injuries.—Peace is undoubtedly more desirable than war, and on that account we have put it into the King of Spain's power to make recompence for the insult offered; or, by refusing, to justify any attempts which we may see meet to take in order to avail ourselves.

The gentlemen in opposition argued with much more strength, because with more openness and consistency. Do not, said they, plume yourselves too much on the virtue of unanimity in the case of a common foe. It is an unanimity which, in the present situation of affairs, is very difficult to be obtained. We will not indeed impede, but, as far as lies in our power, promote every vigorous exertion

exertion in preparing for war. We wish to teach other courts, that wantonly to sport with the honour and dignity of Great Britain, is an insult we can never overlook. Yet what does the speech from the throne consist of, if not of an attempt to applaud the conduct of ministry?—To what would an address tend, if not to the same purpose? What is there in *their* conduct that calls forth gratitude or thanks on this occasion? Is it the wretched state of our navy, the naked and defenceless state of our colonies, or is it because they have left Gibraltar and Minorca open to the attacks of our enemies? News arrived from Falkland's islands in June, which might have sufficiently demonstrated the designs of Spain; and yet, in consequence of that, no arrangements were then made, no preparations for security or attack; both army and navy have been neglected, and now, when danger is at our gates, we tremble on it's approach. But, while the ministry shew so much speculative spirit in the vindication of foreign rights, what provision have they made against those innovations at home under which the people have groaned so long? The rights of election have been deeply injured. Will the people be unanimous, will they bestow their faith, or give their assistance to men who act thus injuriously against their most sacred interests? Much has been said of the honour of the crown, and that it has been affected by the proceeding of a petty governor. But is it consistent with natural or refined notions of the honour of the British crown, to talk of it's being hurt by an individual so despicable? Did the governor of Buenos Ayres act for himself? If so, he is punishable as a felon. If for his master, which certainly was the case, are we to overlook the King who gives the order, and wreak our vengeance on the obedient servant who executes

executes it? But had not the conduct of administration in the affair of Corsica been tame and pusillanimous, this had never happened. It is in vain to talk of the love of peace as a pretence for delay and neglect. They should least talk of peace, whose inability or dishonesty have introduced anarchy and confusion into the very bosom of their country.—The addresses, however, were delivered. There is little in either to repay us for the trouble of transcribing them. That from the House of Peers is almost a perfect echo to the speech; a little more reserve is apparent in the other; but since, as one of the ministry remarked on this dispute, addresses are merely *compliments* to the throne, it lessens their importance in historical detail.

A succession of weak and unwise measures had rendered the ministry despicable, not only at home but abroad. In the speech, his Majesty was pleased to say, he would take the advice of his parliament in cases of necessity. The affairs of Falkland's islands being of the utmost importance, and one in which much advice and deliberation was needed, a motion was made in both houses for an enquiry into the proceedings of the Spaniards on this very extraordinary occasion; and that all papers and letters relative to the whole transaction should be laid before the house.—“It is too late now,” said the supporters of this motion, “to think of a negotiation; there is no ambiguity in the case. A robbery has been committed, an insult offered to the crown of England. Had restitution been made, we might now think of negotiating upon the score of satisfaction; but at present, to negotiate is tacitly to deliberate whether a plunderer is to be obliged to make restitution; it is to admit a doubt of Britain's right to these islands. And
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next to this affront from Spain, no greater injury can be aimed at the honour of parliament, than to endeavour to propagate a rumour that the court of Madrid has disavowed the proceedings of their officer. The island was taken in the name of the King of Spain, and he, by having made no restitution, ratifies and countenances the deed. The papers now wanted are such as relate to this affair alone, and not to any negociation that may have been begun since these hostilities were committed. Minute and accurate information is all we want, though it is to be confessed much is not to be expected, when we reflect on the shuffling means used on former occasions to evade enquiries relating to the army or navy. It is impossible to bear any love to our country, or to fulfil the duties of our function, without looking on these enquiries as of the highest importance. None but the conscious guilty can object to them. If it appears that every measure has been sedulously put in execution which the exigency permitted, administration may raise their heads from a cloud of suspicion that will ever obscure their characters, if unremoved; and lessen the national confidence, which it must be their interest, both as counsellors and legislators, to possess. This is not the only instance from which we may deduce the inclination of the court of Spain to create differences with England; and even although, after some instances, doubts may remain, there can be none to him who calmly surveys the insulting pride of their conduct at Port Egmont, when they had disarmed and imprisoned the garrison—a conduct which was contrary to the laws of nations, even if they had had an undoubted right to the island.”

The ministry objected to the whole of this reasoning, conscious that such an enquiry might prove
very

very troublesome to some of them. They insisted that the laws of negociation precluded the idea of exposing any letters or papers sent in confidence while the negociation was pending; that the manner of our receiving intelligence would be obstructed by being divulged; that the King of Spain had disavowed the behaviour of his officer, and promised satisfaction.—In the arguments of the ministry, likewise, peace and war were pathetically contrasted. They alledged that no neglect could be imputed to administration after they were certainly informed that there was cause of uneasiness from the Spaniards; that it would have been rash to proceed to extremities, and produce misunderstanding between the two crowns, when perhaps the officer only was to blame. If after remonstrance the court of Spain refused satisfaction, then we were authorized to take it at our own hand, for which purpose every possible precaution was going on; that if the insinuations, which they who made the motion threw out, were to be admitted, they would amount to an assertion that ministry were treacherous and destructive to the interests of their country. Some compliments were paid to the wisdom of the men whom his Majesty had entrusted with the weighty concerns of the realm, and not a few to the national character of the Spaniards; which, if they are justly merited, compose perhaps as high, or a higher character than ever they gave or could give of the English. “Besides,” added the ministry, “Spain can never be ignorant of our intentions to vindicate our rights, and for her own interest will never think of proceeding farther in the provocation.”—However these arguments may please, or convince the generality of readers, they were sufficient for the rejection of this motion. In the

House of Lords the majority was more than three to one; in the House of Commons it was better supported. For a time we will now beg leave to drop this subject, till we shall have traced the progress of a few more ineffectual motions for enquiry.

Of late, from the mode of proceeding in the case of some libellers, many complaints had arisen regarding the powers of the attorney general. He had filed informations, and carried on prosecutions *ex officio*, without going through the forms observed in all other cases; a power which is inconsistent with the nature of a free government. No power can be more dangerous to private liberty, nor to the virtue and principles of him who enjoys it. He acts under the guidance of a minister; and his sense of duty must be very strong, or his independence very thoroughly secured by contentment, if he is at no time tempted to swerve from the laws of conscience and equity. It is in his power to give what name he pleases to a paper, and call it seditious or treasonable; then, without the interference of a jury, he proceeds to try the offender, who, though he may be acquitted, may nevertheless be ruined by expences attending his justification. By the toleration of such discretionary power, no innocence can be safe; and allowing the measure to be constitutional, it is far more dilatory and troublesome than the common method by juries. Examples, on this occasion, were cited of several very flagrant instances of oppression and injustice from this power. The laws, by this means, said they who censured it, become changeable according to the pleasure of a judge; and the liberty of the subject is taken from him whenever he is obnoxious to any of his superiors.—Such proceedings having been the cause
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of repeated and universal discontent, a motion was made in the House of Commons, to bring in a bill for explaining and amending an act of the 4th and 5th of William and Mary, to prevent invidious informations, and for the more easy reversal of outlawries in the court of King's Bench. This motion had the fate of every motion that thwarted the intentions of ministry. It was rejected by a great majority; and that none might think it was rejected without cause, they urged, that the power of the attorney general was the same now that it ever was, and founded on common law. The abuse of power militates not as an argument against the use of power, and it is dangerous to overthrow established customs. The actions of the attorney general are cognizable by parliament, and this controul must ever prevent a licentious exertion of his power. More reasoning, of equal weight, was used by the majority. But the objections made to the present mode of the administration of justice did not end here. For

From some decisions in the courts, deemed repugnant to law and practice, these courts were at this time held up by many in a very despicable point of view. The awful dignity that surrounded the bench of justice was forgotten in the general obloquy which late proceedings had created. By the new laws, or rather by the new opinion of the judges, the bench was to determine whether a paper was a libel or not, and the business of the jury was confined to the determination of the fact of printing or publishing. In the case of a libeller, doctrines new, and subversive of liberty, had been issued from the bench, and by these it appeared that a judge had it in his power to punish a man who had been found guilty of printing

a particular paper, whether that paper was harmless or seditious. Hence the bitterest odium was thrown on the judges; they were despised by the sober part of the people, and execrated by those who are more ready, in all cases of supposed injury, to feel than to think. Lord Chatham, while on a debate relating to the Middlesex election, took occasion to introduce a digression on these abuses in the courts of law. He was answered by Lord Mansfield, who considered himself as particularly pointed at; but his Lordship was by no means successful in his reply, for Lord Chatham from it drew additional strength to his own arguments, and warmly moved that a day should be appointed for an enquiry into the conduct of the judges; in this he was ably seconded by the late Lord Chancellor.

There was something singularly alarming to the judges in the nature of this accusation, especially as coming from the mouths of some of the ablest lawyers, and evidently pointed at certain persons in particular. As this digression, made by Lord Chatham, produced nothing but extempore and general disputing, the one laying the blame on, and the other endeavouring to throw it off, it was imagined that a more formal attack would soon be made, and which might be decisive in fixing the blame somewhere; and thus paving the way to a remedy; accordingly we find that, on December the 6th, a motion was made to appoint a committee of enquiry into the conduct of the administrators of public justice. The reader, perhaps, will have already anticipated the fate of such a motion. It may not, however, be amiss to give some sketch of the arguments used on the occasion. From them a judgment may be formed of its expediency, and of the conscience, guilt, or honesty

honesty of those who laboured to overturn it by rejection.

They who promoted the motion argued thus: "That restraining the power of a jury, and confining that power to the simple determination of fact, is highly dangerous to liberty, appears especially from the consideration of the case of man-slaughter. If the jury are only to determine whether the fact was committed or not, the criminal may be condemned for murder; but the jury, in the case of man-slaughter, have the power; nay, it is their office, to establish a distinction betwixt the crime and the intention: if so, why have they not the same power in less criminal cases? In the reign of James the Second, when corruption and arbitrary power were at the most atrocious height, a jury determined both as to fact and intention in the case of the seven bishops; and dangerous as it might be to oppose the tyrannical measures then prevalent, that jury openly sacrificed the considerations of bribery, or interest, to the preservation of an established right. But another instance of malversation may be drawn from the proceedings against Almon the bookseller. Here a master was made answerable for the crimes of his servant. His name, as a publisher, was inserted in the title-page, and the books were sold at his shop, without his knowledge; nay, he sent back the remaining copies as soon as he found what liberties had been taken with his name. Add to this, that the judges of Westminster-Hall have for some time past done all in their power to lessen the influence, nay exterminate the practice of trial by juries; and where their determination could not be avoided, they were counselled and directed from the bench. The bench dictated that they were judges of fact only, and not of law. The

fortune of the parties is paid no regard to in assessments; and although the parties have the sole power of rejecting a jurymen, yet that has been done without their desire. On a trial for murder, after the jury had brought in a verdict *guilty of murder*, they were ordered by the judge to change it to *man-slaughter*. By such proceedings the dignity of courts of justice is sullied, and the probity of judges called in question. The time was, when the idea of a court imparted a sense of reverence to the people; the reverse is the case now, Judges are dreaded as oppressors, not loved as protectors of liberty. By such proceedings, the hated influence of the military is promoted, and the seeds of dissension and disgust universally sown. A hundred instances of imprudence in the cabinet may be neither known nor understood; but one instance of oppression, in a civil or criminal case, knocks at the breast of the meanest subject."

"The character of a judge," objected they who were of a contrary opinion, "has ever been held by the people in a light so sacred, that to promote the present motion would be an avowal of censure on their conduct, and therefore lessen their influence; a measure both unjust and impolitic. The particular person pointed at (Lord Mansfield) is a man of reputation so very exalted on account of abilities, wisdom, and integrity, that any *malevolent* attempts against him must ever fall to the ground. This enquiry is of a nature too general and indefinite. No charge is specifically made; it has been said that there is universal criminality, and yet not one real object of censure has been pointed out. To reprobate whole bodies of men is, at least, illiberal, but, with regard to the case in question, both unwise and unconstitutional. Allowing that the circumstances of
blame

blame mentioned are true, as some of them may be, yet it is very easy to vindicate the judges, by proving that they have only followed the conduct of former judges. The practice of Justice Raymond, in the case of Franklyn, for publishing the Craftsman, is exactly consonant to the very practice of late courts, which is now so much decried."

The gentlemen in opposition who promoted the motion, in answer to these arguments, wished to vindicate themselves from the suspicion of self-interest, or sinister motives, in their present enquiry. "If this enquiry is begun, none will suffer, not even in the breath of fame, but they who deserved it. Had the judges that tenderness for their character which they pretend to, they certainly would be anxious for such an enquiry, as the only means to remove the universal discontent, and that share of obloquy which daily is heaped on them. If the fault lies in the judges, why wish to screen them from punishment? If it lies in any defect in the laws, this enquiry is surely the best method to determine what that defect is, that a remedy may be provided. Another circumstance of a very alarming nature may be mentioned, although it cannot be brought as a legal proof. A late celebrated judge, when on his death-bed, avowed that he had been solicited by administration concerning the decision of some causes then depending between the crown and the subject. The instance of Justice Raymond is of no moment in the present case; it is the opinion of a single man: unfortunately for our laws, they are clogged too much with jarring opinions of great lawyers. Were such opinions to be taken as precedents, there could scarcely be a determination, however unjust or unconstitutional, but what might be defended. It is to this multiplicity of opinions that we owe

the present uncertainty concerning the power of juries. The wisest jury that our land can furnish, are hereby as ignorant of their privileges, as the poor criminal before them; and they are subjected, from this ignorance, to have their rights withheld, or perverted. It is to fix the precise power of juries, and elucidate the laws in the case of judges, that we move for the instant institution of this enquiry."—The motion, however, was rejected by a very great majority, one hundred and eighty-four against seventy-six.

At first the matter did not seem to end here. Lord Mansfield, who felt himself peculiarly the object of censure, gave notice next day, that on Monday he would communicate to the House of Lords a matter of the utmost importance. When that day came, his Lordship informed the house, that a paper containing the case of Woodfall the printer, as tried in the court of King's Bench, was in the hands of the clerk, and such of the members as thought proper might read or take copies of it. This proceeding astonished, and not a little disappointed the whole house: they were big with the hopes that his Lordship, anxious for the dignity of his private and professional character, had embraced this opportunity to urge an enquiry, and convince the nation at large of the injustice and fallacy of the suspicions thrown out against him. Instead of which, to leave a paper, relative to the sentence of the court of King's Bench in the hands of the clerk of the House of Lords, which house had no power to take cognizance of it, was deemed frivolous and trifling, especially as he grounded no motion on this fact, and had formally announced the intention of laying something of great consequence before them.—He was immediately asked, whether he meant that the paper should be entered

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in the journals? He answered, that he did not, and only intended it should be left in the hands of the clerk. Upon this the house would in all probability have overlooked the affair altogether, had not the late Lord Chancellor, who so strongly supported the motion for enquiry, stood up to accuse Lord Mansfield from this very paper, the practice in which he averred was repugnant to the law of England. From it he took occasion to propose some queries relative to the power of juries, and challenged his antagonist to a debate, either now, or soon after. In answer, however, to Lord Camden, it was complained, that this was too precipitate a mode of procedure; an excuse likewise was formed for not granting a day of debate on the question, and in a short time the whole enquiry fell into oblivion. This affair was very variously talked of. Whatever is to be said for the abilities and integrity of these judges, they by no means shewed great wisdom, in neglecting the only opportunity they perhaps ever may have to free their character from popular contempt, and restore that reverential awe which courts of justice formerly commanded, but had now in a great measure lost. Their overturning the motion for enquiry rendered them doubly obnoxious to the people. Pamphlets were printed, containing the most severe accusations. Comparisons were formed between some of the law lords, and some of their predecessors, who had disgraced their rank; and even the print-shops were filled with pictures expressive of the most poignant satire and indignation.

Before these fruitless attempts were made, the most liberal supplies were voted for the ensuing year, and carried unanimously. If it is not tautology, we would say, *most* unanimously; for considering

dering the good-will of the opposition towards the ministry, and the docile temper of the latter, it is a matter of astonishment that any motion received the mark of universal approbation. Forty thousand men were voted for the sea service; the land forces were increased from 17,666, to 23,432 effective men; besides some other grants and additions both to the army and navy.

We record this instance of unanimity with the more pleasure, that we hope it will, in some degree, atone with the reader for the strange conduct of parliament in an affair which soon after took place, than which nothing could have been more childish, or derogatory to the dignity of the first assembly in the nation. On Monday, December 10, the Duke of Manchester made the following motion, "That
"an address be presented to his Majesty, that he
"would be graciously pleased to give orders for
"quickening our preparations of defence in the
"West Indies, and the Mediterranean, and parti-
"cularly for securing the posts of Gibraltar and
"Minorca."—His Grace, in a very able introduction, was demonstrating the importance of those garrisons to Great Britain; that it was an honour to our crown to hold a fort in the Spanish dominions; an honour, however, of which the court of Spain would ever be impatient to deprive us, and in case of rupture would certainly make every attempt to effect this purpose. He was continuing his speech, charging the ministry with negligence, in leaving a possession of so much consequence in a most defenceless state, with only two ships of the line, and even—Here his Grace was suddenly interrupted by Lord Gower, who insisted upon having the house cleared immediately of all but those who had a right to sit there. "When (argued his Lordship) motions are thus brought

brought on by surprize, and without the knowledge of the house as to their contents, it is impossible but such things may be spoken as are improper for the general ear, especially as the enemy may have spies in the house, in order to convey secret intelligence, and expose the nakedness of our possessions." He concluded with desiring that the standing order should be read; which was accordingly done. The Duke of Richmond rose to answer Lord Gower, and defend the noble speaker who made the motion. "At all times," said his Grace, "a Peer has an undoubted right to exclude auditors; but custom has so far rendered the law unknown, that to revive it at this moment will certainly create alarming suspicions in the minds of the people. What can they indeed suppose, if not, that affairs are in a dangerous situation, and that the House of Peers is ashamed of, and desirous to conceal what passes within it? The noble Duke who spoke for this motion has been interrupted in an excellent speech, although he has been charged with no impropriety; which is both irregular and insidious."—This answer produced a considerable degree of altercation, and "Clear the house" was loudly vociferated from all quarters. Several members attempted to speak; but finding it impossible, and enraged at this clamorous and unmanly infringement on the freedom of debate, about eighteen or nineteen of them left the house in a body. The members of the House of Commons, then present, were ordered to depart; nay, some of the Lords were so forgetful of their dignity, as to go personally to the bar, and insist on the Commons taking their leave. They, on their part, maintained that they attended with a bill, and in the discharge of their duty; but this excuse availed them nothing, for they were peremptorily

rily ordered to withdraw till their message should be delivered; and after they had gone through the usual forms of delivery, they were again, amidst great tumults, turned out of the house. The Lords, who had departed from the upper house, went to the House of Commons, where they were listening to the debates on a depending motion relative to the corps of artillery, when the Commons who had been turned out of the upper house arrived, full of indignation, and loud outcries against the affront offered to them. To retaliate, in some degree, the order of *this* house was read, and the whole body of spectators, Peers and all, were obliged to depart.—Thus eighteen Peers of the first nobility were ejected from both houses; from the one by option, and from the other by force. But the absurdity of the mode of revenge adopted by the House of Commons appears very remarkable, when we reflect that they gave orders for turning out those very Peers who had stood their firm friends in the other house. It was now determined to shut the doors of both houses, till one or other should relax from the severity of resentment. Sixteen of the Lords, who had seceded, joined in a protest against the proceedings of this day, and in the warmest terms censured the irregular and unparliamentary treatment they had met with, and the unprecedented imprudence of administration in endeavouring to suppress the freedom of argument, and render the conduct of that noble house an object of censure and ridicule to the whole world.—Motions were afterwards made for reconciliation, but the misunderstanding continued with little abatement during the whole session. The House of Commons yielded somewhat, but the Lords were unmoved. The opinions of the public may be easily conjectured.

Censures

Censures of all kinds, and abuse in every degree, were bestowed, as reason, party, or whim, prompted. To say the least, it is abundantly ridiculous, we would add laughable, if it were not that affairs of state require seriousness in the councils of the house, and wisdom in the conduct of its members.—An expression made use of by Lord Sandwich, on this occasion, we cannot pass by. On Lord Chatham's having represented the defenceless state of Gibraltar, Lord Sandwich replied, that he did not think that Gibraltar was of much consequence to us; and, if it should be taken, what then? Gibraltar is open to the sea, and we may retake it, if we please.

The day following this odd event, the House of Commons resolved itself into a committee upon the land-tax, which was proposed to be raised to four shillings in the pound; after some debating, this was agreed to. The necessity of the measure appeared from the rumour of a rupture with France, which, as well as Spain, was now making great naval and military preparations. The apprehensions of a war were not slighted in this day's debate, as they had formerly been. The ministry seemed convinced that Spain was secretly meditating an attack through the medium of specious tranquil intentions.—But it is time now to look back to the affair of Falkland's islands.

We have given a short account of this transaction, as it was reported on the arrival of our people, which happened on September the 10th, 1770. Some time before, Mr. Harris, the English minister at Madrid, dispatched a letter to Lord Weymouth, informing him that a ship had arrived from Buenos Ayres, with an account of the intended expedition, the number of men and ships, and the time fixed for its departure. His Lordship,

Lordship, at the same time, was assured by Prince Maferano, the Spanish ambassador, that he had every reason to believe that the Spanish governor had employed force at Port Egmont without any orders, and hoped that, by saying so, he might prevent any misunderstanding between the two kingdoms.

Lord Weymouth replied, in a spirited manner, that our officers there had acted most peaceably according to their orders, which enjoined them simply to warn other powers against endeavouring to make a settlement on these islands; but as for misunderstanding between the two crowns, his Lordship did not easily see how it might be avoided. Since, however, M. de Buccarelli (the Spanish governor) had acted without orders, and as this appeared palliative of the indignity, Lord Weymouth farther asked the ambassador "if he had orders from his master to disavow the act of the governor?" Prince Maferano allowed he had received no such orders, but reprehended, in warm terms, any proceeding that might prove hurtful to good understanding between the crowns. Lord Weymouth afterwards demanded, in the King's name, a formal disavowal of the conduct at Port Egmont, and an immediate restoration of the possession, as the only method to confirm that harmony which Prince Maferano seemed so desirous to promote. Mr. Harris, at the same time, informed the minister of state in Spain, M. de Grimaldi, of this request. M. Grimaldi returned an answer in terms somewhat cavalier, alledging, that as the court of Spain had disapproved of our establishing a settlement on these islands, it was natural to suppose they would not brook our neglect of this; and that he could not blame the conduct of M. de Buccarelli, which was founded on the laws

laws of America; but that, as a war could be of no service, rather disparagement to Spain, every concession should be made that was consistent with the honour and welfare of his Catholic Majesty's people. He afterwards told Mr. Harris, that his Majesty was willing to terminate every thing in a friendly manner; and that Prince Maferano had received instructions for this purpose, as affairs could be best settled in London. He added, however, that nothing but aversion to hostilities would have inclined his Majesty to condescend thus far.

Accordingly Prince Maferano acquainted Lord Weymouth, that his master had fully empowered him to disavow any particular orders given to M. de Buccarelli, and at the same time to say, that he had acted agreeably to his general instructions, and oath as governor; that the island should be restored; and that it was expected his Majesty of England would, on his part, disavow Captain Hunt's menace, which had prompted the governor to act as he did. The Prince proposed a convention, in which these conditions should be finally settled. But it was answered, that his Majesty of Britain adhered to the first demand and resolution, and objected both to the *matter* and *manner* of the proposed convention. A convention would imply his Majesty's becoming a contracting party, which would destroy the idea of reparation. His Majesty has been injured; he has condescended to moderate the terms of restitution, and insisted on these without any stipulation whatever on his Majesty's part. The ambassador not being able to proceed in the business, without convention, dispatched an account to Spain of what had passed, as did Lord Weymouth to Mr. Harris, who might lay before his Catholic Majesty the whole

whole proceedings, and demand his answer. This answer, when obtained, was pacific in appearance; and power was given to Prince Maserano to conclude the matter finally, to the lasting satisfaction of his Britannic Majesty; and to provide that no remains of this affair should afterwards tend to hurt the amity subsisting between the two kingdoms.—But whatever instructions (of which the above is said to be the purport) might be sent to the Spanish ambassador, or however pacific and satisfactory these proposals appeared to be, Lord Weymouth had soon occasion to acquaint Mr. Harris, that Prince Maserano's language was by no means decisive or definite, and that it would be necessary for Mr. Harris to give notice to the governor of Gibraltar, and the English consul at Cadiz, of these suspicious circumstances. Just before his Lordship's resignation, which took place on December 15th, and in which he was succeeded by the Earl of Rochford, he wrote another letter to Mr. Harris, conveying his firm belief that a rupture was inevitable. Without considering the conjectural causes for Lord Weymouth's resignation, it is sufficient to continue our relation,—that Mr. Harris received advice from Lord Rochford, that the proposed accommodation could not take place, and that it was expedient he should withdraw from Madrid, especially as correspondence betwixt Prince Maserano and the English court was no longer continued. After this, the public remained in the dark as to the whole affair, till a convention and consequent accommodation were agreed to. These will occur to be mentioned soon.

The parliament being adjourned for the Christmas recess, a few promotions took place which we cannot pass over, as some of them proved lasting

ing ones. Lord Hawke resigned the place of first lord of the admiralty, and was succeeded by Lord Sandwich. Many of the friends of Mr. George Grenville joined administration; and the Earl of Suffolk was appointed keeper of the privy seal, in the room of the Earl of Halifax, now promoted to be secretary of state for the northern department. Some other changes, both in the law, and other departments, took place at the same time.

The parliament met on the 22d of January, pursuant to their adjournment. The first business related to the convention on the 1771. affair of Falkland's islands. Soon after the day of meeting, the declaration of the Spanish ambassador, and the acceptation of Lord Rochford, were laid before the house. Prince Maserano, in his declaration, disavows, in the name of his master, the violence used at Port Egmont, the full restitution of which he agrees to, which he hopes will be looked upon as ample satisfaction, and at the same time as not affecting the question concerning the prior right of sovereignty of the islands. This transaction occasioned an address for copies of all papers, letters, declarations, and every kind of correspondence which had passed on this occasion, from the commencement of the difference till the present declaration. This was complied with; but it was objected, that it was complied with only in part; for, besides a chasm of near two months, not accounted for, none of the copies of the claims or representations made by the court of Spain, since the first settlement of the islands, were given up. This created suspicion that the concealment of these papers, and the deficiencies in the order of their dates, might proceed from some misconduct during

the periods in question, and which administration was willing to hide from the world. It was answered to these objections, that every paper which could be found in the several offices had been presented, and that if there had been any correspondence between the two courts, of which no notice was taken in them, it must have been verbal; but, at any rate, there were papers sufficient to enable the house to determine on the propriety or impropriety of the conduct adhered to during the whole affair, for every thing decisive or explicit was in writing, and every writing was laid before them.

These excuses, however, were not satisfactory. Another point remained to be cleared up. It was reported, and in general believed, that France had interposed: in consequence of which a motion was made for an address to his Majesty, praying that the house be informed, whether any such interference had actually taken place, and of what nature it was, and in what manner it had been conducted? The minister denied there had been any such intervention; but it was insisted upon that the King's answer was requisite, as the word of a minister, notwithstanding he might be upright, could not be satisfactory. It appeared, however, that no written transactions had passed between the two courts: and when the minister was asked, whether France had ever interposed as a mediator? he answered, that "England had not employed France in that capacity; but that the word *interposed* was of a meaning too vague for direct explanation, and it was unusual to demand verbal negotiations, while papers lay before them; that as all Europe had an eye to the compromising of differences between states, it was not to be supposed that France would be altogether

"altogether silent : but nothing," added the minister, "dishonourable has ever passed." This answer was not accepted; they who promoted the motion insisting on their right to have an account of verbal negotiations as well as of others :—"if that right was laid aside, a minister had no more to do, when he wished to promote an insidious measure, than to conduct it by verbal correspondence."—The motion was rejected by a very great majority in both houses.

The convention became an object of censure, both in parliament, and over the nation in general. Many able pens and tongues were in exercise on the occasion, and both the matter and manner of it gave great disgust. It may not be superfluous to abridge the arguments on both sides. The opposition contended thus:—"What have we gained by this declaration of the Spanish crown? The sovereignty of the islands is now more than *disputed*; for the terms of the declaration, which we have solemnly accepted, leave Spain entirely justified, though she should commence hostilities the moment after it is signed, or, which is more probable, whenever she thinks her belligerent powers may be employed with success. The mode of reparation for affronts received is now reversed, or altered to our disgrace. Has it escaped the general memory, that France, when a subject of Sardinia had been treated contrary to the right of nations, sent a most submissive atonement to the monarch of that country? and when Admiral Boscawen, in pursuit of our enemies, destroyed some French ships upon the coast of Portugal, did not the King of Great Britain send an ambassador extraordinary to the court of Lisbon, in order to make reparation? But the reparation made by the

declaration now in question, is not adequate to any of these instances; and the dignity both of the crown and nation is materially affected by the acceptance of it. In the course of this affair we have expended an immense treasure in making fruitless preparations, and thus pointing out to the most petty states in Europe, a method by which they may harass our peace, ruin our trade, and weaken our power and interest, with impunity. But besides the ambiguity of this proviso relative to the sovereignty, the declaration and disavowal is of itself imperfect. It is confined to Port Egmont only; and what makes our tame acceptance appear the more unwise, is, that Spain herself, on the first negociation, offered to cede Falkland's islands. The insult was done to the whole, not to a part; and if restitution was to be made, it should have been general, otherwise it cannot be called a restitution. The mind of the court of Madrid is ambiguous in another respect; they talk of disavowing this insult, as proceeding from particular instructions; yet they at the same time give to understand, that the general instructions of their governor expose us to similar hostilities, whenever an occasion presents itself; and empower them to wantonly seize our possessions, while the two courts are united in seeming friendship. Whatever power the Spanish court may think proper to invest it's governor with, we have a right, in the present case, to insist on having that abridged. Not to do so, is to translate the despotism of Spain into the bosom of our British possessions. Our ministers having neglected this important part of their business, as negociators, shew how fit they are, from knowledge or sagacity, to be employed, even in the most obvious of cases, viz. where the law of nations is concerned."

Other

Other arguments were used on this occasion ; and the transaction was, upon the whole, considered as a disgrace to the British crown, and a lasting monument of that pusillanimity of mind, and cowardice of thought, under which this country one day or other would infallibly sink. Nor were these sentiments at all overthrown by those to which the ministry had recourse, and which we shall now give an abridged account of. They were successful in furnishing such an excuse for the convention, as seemed sufficiently persuasive, as far as words can go, but did not reconcile the minds of the people to any part of the transaction. They alledged that “ we disputed a point of *honour*, not of *right*, with Spain. An affront has been offered to England, by taking possession of one of her islands. That island being restored, the disavowal of the Spanish monarch is satisfaction for the affront ; and hence the dignity of England is completely supported. The nation has no right to demand any other restitution or declaration ; for the sovereignty of the islands has been contended by the Spaniards from the time Lord Anson’s book appeared, till the present day, and exactly on the same principles. When we settled on the island, they considered us as having no right to do so ; and notwithstanding all this, Spain has actually given up the island, and what more can be expected ?” To this a few reflections were added, “ on the impropriety of our adhering to punctilios in affairs more of honour than of right ; such nicety having a bad tendency on the peace of nations, and being liable at all times to embroil us in the miseries of war.”—But what do the arguments on this side amount to, if not to this ? We have no right to Falkland’s islands, yet the Spaniards have given them up to us ;—or, we have a

right to these islands; the Spaniards took them by violence, and they now restore them, without acknowledging that we were injured by their insult. If the first position is admitted, it follows that we are much obliged to Spain for ceding to us one of her possessions as a present; if the last is to be inferred, the restitution, made by the Spaniards, implies an insult to the dignity of our crown, just as much as the hostilities committed on the island.

The principal objections that had been made to the accepting of this restitution, were again offered on a motion being made for an address to his Majesty, "to return thanks for the communication of the Spanish declaration, and to testify their satisfaction with the redress that had been obtained." This motion was carried, but not without considerable opposition, and especially to that part of the address which contained an approbation of the conduct of ministry, who on their side had no little difficulty in bringing the house to give credit to the Spanish promises. In the House of Lords, the address produced a protest from nineteen members; (among whom were the Dukes of Richmond and Manchester, Lord Chatham, &c.) An opinion of this protest will be best formed from an attentive consideration of the reasons, which are as follow.

"*Dissentient*, Because it is highly unsuitable to the wisdom and gravity of this house, and to the respect which we owe to his Majesty and ourselves, to carry up to the throne an address, approving the acceptance of an imperfect instrument, which has neither been previously authorized by any special *full powers* produced by the Spanish minister, nor been as yet ratified by the King of Spain. If the ratification on the part of Spain

Spain should be refused, the address of this house will appear no better than an act of precipitate adulation to ministers; which will justly expose the peerage of the kingdom to the indignation of their country, and to the derision of Europe.

II. "Because it is a direct insult to the feelings and understanding of the people of Great Britain, to approve this declaration and acceptance, as a means of securing our own and the general tranquillity, whilst the greatest preparations for war are making, both by sea and land; and whilst the practice of pressing is continued, as in times of the most urgent necessity, to the extreme inconvenience of trade and commerce, and with the greatest hardships to one of the most meritorious and useful orders of his Majesty's subjects.

III. "Because the refusing to put the questions to the judges upon points of law, very essentially affecting this great question, and the refusing to address his Majesty to give orders for laying before this house the instructions relating to Falkland's islands, given to the commanders of his Majesty's ships employed there, is depriving us of such lights as seemed highly proper for us on this occasion.

IV. "Because from the declaration and correspondence laid before us, we are of opinion, that the ministers merit the censure of this house, rather than any degree of commendation, on account of several improper acts, and equally improper omissions, from the beginning to the close of this transaction. For it is asserted by the Spanish minister, and standsun contradicted by our's, that several discussions had passed between the ministers of the two courts, upon the subject of Falkland's islands, which might give the British ministers reason to foresee the attack upon that settlement

that was afterwards made by the forces of Spain. Captain Hunt also arriving from thence so early as the third of June last, did advertise the ministers of repeated warnings and menaces made by Spanish governors, and commanders of ships of war; yet so obstinately negligent and supine were his Majesty's ministers, and so far from the vigilance and activity required by the trust and duty of their offices, that they did not even so much as make a single representation to the court of Madrid; which if they had done, the injury itself might have been prevented, or at least so speedily repaired, as to render unnecessary the enormous expences to which this nation has been compelled, by waiting until the blow had been actually struck, and the news of so signal an insult to the crown of Great Britain had arrived in Europe. To this wilful, and therefore culpable, neglect of representation to the court of Spain, was added another neglect; a neglect of such timely preparation, for putting this nation into such a state of defence, as the menacing appearances on the part of Spain, and the critical condition of Europe, required. These preparations, had they been undertaken early, would have been executed with more effect, and less expence; would have been far less distressing to our trade, and to our seamen; would have authorized us in the beginning to have demanded, and in all probability would have induced Spain to consent to, an immediate, perfect, and equitable settlement of all the points in contention between the two crowns: but all preparation having been neglected, the national safety was left depending rather upon accidental alterations in the internal circumstances of our neighbours, than in the proper and natural strength of the kingdom; and this negligence was highly aggravated

gravated by the refusal of administration to consent to an address, proposed by a noble Lord in this house last sessions, for a moderate and gradual augmentation of our naval forces.

V. " Because the negotiation, entered into much too late, was, from the commencement, conducted upon principles as disadvantageous to the wisdom of our public councils, as it was finally concluded in a manner disgraceful to the honour of the crown of Great Britain; for it appears, that the court of Madrid did disavow the act of hostility, as proceeding from *particular* instructions, but justified it under her *general* instructions to her governors; under the oath by them taken, and under the established laws of America. This *general* order was never disavowed, nor explained; nor was any disavowal or explanation thereof demanded by our ministers; and we apprehend, that this justification of an act of violence, under *general orders, established laws, and oaths of office*, to be far more dangerous and injurious to this kingdom, than the particular enterprize which has been disavowed; as it evidently supposes, that the governors of Spanish American provinces are not only authorized, but required, without any particular instructions, to raise great forces by sea and land, and to invade his Majesty's possessions in that part of the world in the midst of profound peace.

VI. " Because this power, so unprecedented and alarming, under which the Spanish governor was justified by his court, rendered it the duty of our ministers to insist upon some censure or punishment upon that governor, in order to demonstrate the sincerity of the court of Madrid, and of her desire to preserve peace; by putting at least some check upon those exorbitant powers asserted by

by the court of Spain to be given to her governors. But although our ministers were authorized, not only by the acknowledged principles of the law of nations, to call for such censure or punishment, but also by the express provision of the treaty of Utrecht, yet they have thought fit to observe a profound silence on this necessary article of public reparation. If it were thought that any circumstances appeared in the particular case of the governor, to make an abatement or pardon of the punishment adviseable, that abatement or pardon ought to have been the effect of his Majesty's clemency, and not an impunity to him, arising from the ignorance of our ministers in the first principles of public law, or their negligence or pusillanimity in asserting them.

VII. "Because nothing has been had or demanded as a reparation in damage for the enormous expence and other inconveniences arising from the confessed and unprovoked violence of the Spanish forces, in the enterprize against Falkland's islands, and the long subsequent delay of justice; it was not necessary to this demand, that it should be made in any improper or offensive language, but in that stile of accommodation which has ever been used by able negociators.

VIII. "Because an unparalleled and most audacious insult has been offered to the honour of the British flag, by the detention of a ship of war of his Majesty's for twenty days after the surrender of Port Egmont, and the indignity of forcibly taking away her rudder. This act could not be supported upon any idea of being necessary to the reduction of the fort, nor was any such necessity pretended. No reparation in honour has been demanded for this wanton insult, by which his Majesty's reign is rendered the unhappy æra in
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which the honour of the British flag has suffered the first stain with entire impunity.

IX. " Because the Spanish declaration, which our ministers have advised his Majesty to accept, does in general words imply his Majesty's disavowal of some acts on his part, tending to disturb the good correspondence of the two courts, when it is notorious, that no act of violence whatever has been committed on the part of Great Britain. By this disavowal of some implied transgression in the very declaration, pretended to be made for reparation of the injured dignity of Great Britain, his Majesty is made to admit a supposition contrary to truth, and injurious to the justice and honour of his crown.

X. " Because in the said declaration, the restitution is confined to Port Egmont, when Spain herself originally offered to cede Falkland's island. It is known that she made her forcible attack on pretence of title to the whole; and the restitution, therefore, ought not to have been confined to a part only; nor can any reason be assigned, why the restitution ought to have been made in narrower or more ambiguous words than the claims of Spain, on which her act of violence was grounded, and her offers of restitution originally made.

XI. " Because the declaration, by which his Majesty is to obtain possession of Port Egmont, contains a reservation or condition of the question of a claim of prior right of sovereignty in the Catholic King to the whole of Falkland's islands; being the first time such a claim has ever authentically appeared in any public instrument jointly concluded on by the two courts. No explanation of the principles of this claim has been required, although there is just reason to believe that these principles

principles will equally extend to restrain the liberty, and confine the extent of British navigation. No counter claim has been made on the part of his Majesty, to the right of sovereignty in any part of the said island ceded to him; any assertion whatever, of his Majesty's right of sovereignty, has been studiously avoided, from the beginning to the accomplishment of this unhappy transaction; which, after the expence of millions, settles no contest, asserts no right, exacts no reparation, affords no security; but stands as a monument of reproach to the wisdom of the national councils, of dishonour to the essential dignity of his Majesty's crown, and of disgrace to the hitherto untainted honour of the British flag."

It has since been discovered, that by a secret agreement Great Britain was to give up these islands to the Spaniards; and accordingly our settlers were quietly removed some time after, and no farther notice, in any shape, was taken of the affair.

Ever since the Middlesex election, it had been an object of importance with the opposition to endeavour to procure an act, which might prevent the conduct observed on that occasion from being made a precedent. Anxious to effect this, they again made a motion relative to the rights of electors in respect to the eligibility of candidates. The House of Peers had formerly declared they would take no part in the affair; and this motion, after much debating, was rejected by a great majority. About the same time the attention of the public was most eagerly directed to an instance of corruption and bribery almost unheard of. The election for the borough of New Shoreham, in Sussex, was contested, and the matter referred to a select committee. What occasioned the
contest

contest was this extraordinary circumstance; the returning officer, Mr. Roberts, had returned a candidate with only thirty-seven votes, while the other candidate had eighty-seven. When brought to trial for this strange proceeding, he laid open the following scene of villainy. A great number of the freemen of the borough had formed themselves into a society, called the Christian society, or club. This, from it's name, was supposed to be dedicated to the pious purposes signified under such an appellation; instead of these, it was clearly proved by the returning officer, who had formerly belonged to it, that it was intended as a mart of venality. A select number of them were appointed as a committee to sell the borough to the highest bidder. The committee-men never appeared at elections themselves, but gave orders to the rest of the society, and directed them how to vote; and after the election was over, they shared the profits among the whole. These facts being clear, the returning officer was dismissed with only a reprimand from the Speaker, for having trespassed upon the forms to be most sacredly observed by a returning officer. But it became afterwards a question in the house, in what manner to punish and exterminate this detested society, and prevent such abuse for the future. The motion for an enquiry being carried unanimously, a bill was brought to incapacitate eighty-one freemen of this borough, whose names were mentioned, from ever voting at parliamentary elections, and for the more effectually preventing bribery and corruption. The attorney general was ordered to prosecute the committee belonging to this *Christian* club, who had been the peculiar agents of infamy on the occasion. The members of the club were allowed council, and

very

very different opinions were offered regarding the manner of their punishment; some were mercifully inclined to reprimand, others proposed to disfranchise the borough. The bill for incapacitation did not receive the royal assent till the last day of the session.

One of the most extraordinary events of this year comes now to be recorded. The fears from abroad seemed, at this time, to alternate with troubles at home, as certain diseases there are which alternate in the same body, and keep up a succession of torment. It is well known to what heights the liberty of the press had been allowed to run. While the executive power retained it's full force, the progress of this liberty towards licentiousness was slow and secret; but since the time when popular discontent armed the nation against the fear of justice, the advance became more rapid. At this time, no character, however good, no rank, however great, was exempted from the voice of calumny; if not from the writers of one party, at least from those of another. It was hard to say on which side the most intemperate violence appeared. The one party were actuated by a concern for some powerful friend, whose favour shined on them; the others were jealous of the higher powers, trembled for their liberty, and were impatient of the heavy contempt they met with. In a mind which is governed by a love of liberty, any seeming infringement on that liberty will make the transition to indignation easy; and when indignation is once moved, it requires a judgment superior to the common, to prevent the very enthusiasm of abuse. The ministry uttered the loudest clamours against the unwarrantable liberties taken with their names, and the opposition retorted, that there was as much abuse

abuse from one quarter as from another. Some gentlemen of the House of Commons, whose speeches had been misrepresented in the papers, endeavoured to put a stop to this practice. To print the speeches of parliament at all, was contrary to the standing order of the house. A motion being therefore made for calling two of the printers to an account, was carried by a considerable majority. The printers did not answer the messengers' call, and a final order for their appearance was issued, and declared to be sufficient notice, if left at their houses. It was not, however, without opposition that these motions were carried; and this opposition increased, when, upon the printers' neglect of the orders of the house, it was farther moved that they should be taken into the custody of the serjeant at arms. The minority objected the present temper and disposition of the people towards this house, and the great impropriety of adding to their alarms by any needless or undue exertion of the executive power. The majority, which was very great, and carried the motion, insisted on preserving the dignity of the house, and on ending at once the illiberal freedoms taken with it's members and their commands. The serjeant at arms informed the house soon after, that he could not meet with the printers at their houses, and that he had received not a few marks of indignation from their servants; on this a royal proclamation was issued for apprehending Wheble and Thompson, the two printers, and a reward of fifty pounds annexed. In the mean time six other printers, who had rendered themselves equally obnoxious to some of the members on a similar account, were ordered to attend the house; but the motion respecting them was

not carried without much opposition. During the course of the debates, the house divided between twenty and thirty times; the issue, however, was, that the six printers should be ordered to the bar; some of them were reprimanded, and one, who did not attend, was ordered to be taken into custody for contempt. When Wheble, in consequence of the proclamation, was apprehended, and carried before Alderman Wilkes, he was discharged by this magistrate, and bound over to prosecute the person who apprehended him. The alderman conceived that Wheble had been apprehended in direct violation of the rights of an Englishman, as well as of the chartered privileges of a citizen of London; and this opinion he scrupled not to declare in a letter to the Earl of Halifax, one of the secretaries of state. Wheble's companion, Thompson, was discharged, after being apprehended in the same manner: the captors, we must add, received certificates from the magistrates, in order to obtain the promised reward. J. Miller, the printer of the six who had refused to attend, was taken into custody from his own house, by a messenger of the House of Commons. Miller sent for a constable, and was carried, along with the messenger, before the Lord Mayor, and Aldermen Wilkes and Oliver, at the Mansion-house. The Lord Mayor refused to deliver up the messenger and printer to the serjeant at arms, who attended to make this request; and after some disputing on the legality of the warrant, the printer was discharged from farther confinement, and the magistrates committed the messenger to prison, as he had been accused by Miller of assault and false imprisonment, and the serjeant had refused bail; the bail, notwithstanding, was immediately given.

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The breasts of the majority, and indeed of many of the minority, swelled with indignation on the report of this unparalleled insult to the dignity of parliament. The opposition, however, took occasion to lay the whole of the blame on the absurd and unpopular conduct on the late Middlesex election, in consequence of which the Ministry were involved in the greatest odium with the people, who would, of course, embrace every opportunity to mock their power, and baffle their measures. The Lord Mayor was ordered to attend the parliament next day. He then pleaded, by way of justification, that he had acted in no manner inconsistent with the duties of his office. By an oath which he took when entering upon it, he was bound to preserve the franchises of the city; and his conduct was farther to be vindicated from the terms of the city charters, as recognized by act of parliament.—As his Lordship maintained that what he did was in obedience to his official oath, it was moved that he should be allowed counsel. The question appeared to be the province of the lawyer, since the Lord Mayor pretended not to deny the privilege of the house, but only by charters and an act of parliament contended that he was entitled to an exemption from that privilege. This motion was overruled, as no counsel could ever be permitted against the privileges of the house. They who spoke for the refusal of counsel argued from the custom of parliament; and although this custom took its rise from a proceeding in the reign of Henry the Eighth, it was now sufficient to vindicate the conduct of them who ejected the motion. Some agreed that the Lord Mayor should be heard by counsel, so far as the privilege of the house was not affected; but this reasoning produced very

great animosity, and it was considered as absurd in the highest degree to allow his Lordship to plead by counsel on every point except the very one in question. At the same time it was moved and carried, that the Lord Mayor's clerk should attend with the book of minutes; and notwithstanding the great opposition made to the proposal, the clerk was obliged to expunge the recognizance of Whittam the messenger out of the book. This was followed by a resolution that there should be no farther proceedings at law in the case. The principal arguments against this transaction were these:—"The cause," said the opposition, "is as yet undecided; if we expunge the minute proposed, it will amount to a determination of the Lord Mayor's cause; if he has acted legally, the apprehending of Miller is a breach of the peace; and the most general ideas of liberty militate against the erasure of a legal proceeding. It is assuming a power which belongs not to any part of the legislature; nor can any power, unless in the height of arbitrary government, dare to efface a legal record." The defence made by the majority chiefly rested on a high regard for the honour of the house. We ordered our messenger to apprehend Miller; and shall we allow our servant, while in the execution of his duty, to be impeded in a manner so derogatory to the respect due to the commands of this house? But many of the minority, uninfluenced by those, and other considerations urged on the occasion, left the house in great wrath.

When the Lord Mayor attended, and proved from his charter, and oath (which contained the principles of his duty, as a magistrate) that he could not have acted otherwise than he did, the question with the majority was reduced to this simple

simple state. Since the crown can give no powers by charter which are not inherent in itself, and since it has no powers over the House of Commons, has the city of London an exemption, by any charter granted by the crown? If so, the powers of the House of Commons are checked, and their cause, which is the cause of liberty, is materially affected by such a power. We move, therefore, that it be voted a breach of privilege to have discharged Miller from the custody of the messenger. The minority objected to this, as tending to embroil the House of Commons in dissensions with the people, and sacrificing the dignity of the house to the imprudence of wanton and arbitrary measures. By refusing counsel for the Lord Mayor, the house have already destroyed the very idea of regularity in conducting this question. The minority concluded with moving for the previous question, in order that the house might with due deliberation weigh the whole proceedings, and enter on them with method and consistency. This motion was rejected by a great majority; and the following motions were passed: "That it was a breach of privilege to apprehend the messenger of this house executing his warrant, under the pretence of an assault; and that it was a breach of privilege to hold the messenger to bail for such pretended assault."

Not contented with this, or rather as a necessary sequel, it was (after the rejection of the proposals of adjournment, it being then one o'clock in the morning) moved to proceed against Mr. Oliver, who gloried in what he had done, and wrapped himself in the security of a spotless conscience as to this affair. Some were for censure, some for expulsion, and some insisted on his being committed to the Tower. This last proposal oc-

casioned all the confusion that can arise from asperity of language and behaviour, and a considerable body of members left the house abruptly; and others so far justified Mr. Oliver's conduct, as to declare a resolution of accompanying him to the Tower. To prevent mischief as much as possible, many of the ministry endeavoured to extort something from him, in the manner of atonement or apology for what he had done; but finding that to no purpose, they carried the motion for imprisonment, and he was accordingly ordered to the Tower. The numbers were one hundred and seventy to thirty-eight; but this small minority is to be accounted for, by observing that the greater part of them who gave countenance to Mr. Oliver, departed from the house as soon as they saw how matters were likely to end, and reprobated the idea of being present on such an occasion. The city was not inactive: every time the magistrates attended the house, they were accompanied by prodigious crowds of people, from the middling to the lowest ranks of life, lining the streets from the Mansion-house to St. Stephen's chapel. Shouts of applause, like peals of cannon, seemed to rend, as well as impregnate, the very air with the effluvia of patriotic enthusiasm. The Lord Mayor and two aldermen received every assistance by counsel, money, and friends, which the people could possibly give, and which they thought themselves honoured by, as a mark of public gratitude. Nor was it only by such emanations of esteem for those whom they held themselves indebted to, that the people proved their spirit: some days after the commitment of Mr. Oliver, when the Lord Mayor attended at the House of Commons to receive his sentence, several insults, of a very alarming nature, were offered to many

of the members, particularly Lord North, who very narrowly escaped with his life; and had it not been for the timely interposition of some of the popular party, who expostulated in person with the crowd, and endeavoured to convince them of the impropriety of their conduct, it is probable this day would have been recorded by the sorrowful memory of universal bloodshed.

The confusion having in some measure been quelled, and the crowd removed to a greater distance from the house, the objections to proceeding against the Lord Mayor were again called forth; but having no weight, the principal members of the opposition left the house. His Lordship refused the mark of lenity which, on account of his infirm state of health, was offered to him, viz. being committed in custody only of the serjeant at arms. It was then moved, that he should be sent to the Tower; a motion which was carried by two hundred and two against thirty-nine. Thus were two of the principal magistrates of the city of London ordered to be confined in prison for obedience to the oaths of their office, and for the exercise of the powers with which they were legally invested. Mr. Wilkes, the other alderman, upon being ordered to attend, wrote a letter addressed to the Speaker, in which he said, that no mention had been made of his being made a member; and that if his seat in parliament, into which he had been duly elected, was to be granted to him, he would attend, and justify his conduct. No attention was paid to this letter; and after some more fruitless orders, he was at last summoned to attend on the 8th of April; but the ministry, not knowing how to punish him, or indeed how to act at all, very wisely appointed the Easter adjournment to extend to the 9th of April. As it

was necessary, however, to endeavour to heal up the many wounds given to their dignity of late; a special committee was appointed by ballot for examining into the causes of the obstructions to the authority of the lower assembly; this committee sat from March the 28th to April the 30th. The report we shall give at some length, as it serves to establish a few facts for the speculation of posterity. "Your committee have selected a few cases from among the many referred to in the margin of this report, which, from the nature of their circumstances, or the importance of the doctrine which they illustrate, or the consequences which they produced, seemed to your committee fit to be more fully stated than the margin would admit, and are therefore added as an appendix to this report.—(This appendix consists of precedents, resolutions, &c. of little or no consequence in the present dispute.)—Your committee beg leave to observe, that in the diligent search they have made in the journals, they have not been able to find an instance, that any court or magistrate has presumed to commit, during the sitting of parliament, an officer of the house for executing the orders of the house. They further beg leave to observe, that they have not been able to find, that there has ever been an instance wherein this house has suffered any person, committed by order of this house, to be discharged during the same sessions, by any other authority whatsoever, without again committing such persons. As, therefore, with regard to J. Miller, who was delivered from the custody of the messenger by the Lord Mayor, who, for the said offence, is now under the censure of the house; as it appears to your committee, that it highly concerns the dignity and power of the house to maintain it's authority

thority in this instance, by retaking the said J. Miller, the committee recommended to the consideration of the house, whether it may not be expedient, that the house should order that the said J. Miller be taken into custody of the serjeant at arms attending this house; and that the serjeant at arms, his deputy, or deputies, be strictly enjoined to call upon the magistrates, officers of the peace, and other persons, who by the terms of the Speaker's warrant are required to be aiding and assisting to him in the execution thereof, for such assistance as the said serjeant, his deputy, or deputies, shall find necessary to enable him, or them, to take into custody the said J. Miller."

Nothing could have excited such general disapprobation as these proceedings against the magistrates and printers; nor was it easy to determine whether greater odium was thrown on the ministry from within or without the house. The facts being clear and simple, were productive of greatly more discontent among the people, than some other parts of public conduct which the unlettered vulgar have not the power of comprehending. The ministry found themselves particularly baffled in this respect, that what they intended for a punishment really afforded the *criminal* an opportunity of triumph; for every honour which the city of London is invested with the power of bestowing, was lavishly heaped on the magistrates. In order to add to the complaints of the people, a bill was brought in towards the end of the session, entitled, "For enabling certain persons to enclose and embank part of the river Thames, adjoining to Durham-yard, Salisbury-street, Cecil-street, and Beaufort-buildings, in the county of Middlesex." Notwithstanding many objections to this bill, which was asserted

to be destructive to the ancient rights and property of the city of London, yet it passed through both houses with ease. Some of the members of the upper house protested against it; and a few days before the rising of parliament, the city petitioned the King against it. They complained, in this petition, that it was a violent and unjust transaction, and totally unprecedented, being an invasion of the property which the city claimed in the soil or bed of the river. It received the royal assent, however; and the people, in a remonstrance presented some time after the adjournment, adverted to it again as an infringement of their rights, and urged it as an argument for the dissolution of the present parliament.

The only parliamentary event that now remains to be noticed, relates to the East India Company. It was moved that two thousand men should be raised in England, the officers over them to be appointed by the King, but paid by the Company, in order to defend and protect their settlements. This regiment was to consist partly of German and English protestants, and partly of Irish catholics. The proposal occasioned much speculation; and after being amply discussed in the house, it was rejected. The reasons for rejection were principally these; that it was unconstitutional and dangerous to keep an armed force in the kingdom, while that force was not paid by government; and that however inconsiderable the proposed number at present appeared to be, it might be easily increased on many frivolous and specious pretences. Another argument was added from the obstruction which hereby would be given to the recruiting service for our own army, as the prospects derived from enlisting in the Company's service were more flattering to the common people

people than any the army 'could present. The advocates for the Company rested their plea on the inconveniences, and at the same time the expediency of sending out a sufficient number of men to the Indies annually; and that unless the parliament should adhere to the promise made some time ago, to assist them in recruiting, they would be daily exposed to infinite loss and expence from the tricks of swindling recruiting parties.—Every method was tried, and every modification of the first motion was offered, in order to make this bill pass; but on the third reading it was rejected, principally by gentlemen in the military profession.

In the speech from the throne, on the eighth of May, it was observed, that the satisfaction obtained from his Catholic Majesty for the injury done to this kingdom, and the proofs which the courts of France and Spain had given us, by laying aside their armaments, of their pacific disposition, enabled us to reduce our forces both by sea and land. The zeal with which the parliament had carried itself, could not fail to convince the world of affectionate attachment to the crown, and true regard to the interests of the country.—With regard to the troubles which still agitated some parts of the continent, his Majesty promised that his endeavours to end them should be persevered in. Thanks were given to the Commons for the unanimity, cheerfulness, and public spirit, with which they granted the supplies; and an apology was offered for the extraordinary demands which had been made. The speech concluded with earnestly advising the members to use their best endeavours, in their respective stations and countries, that the national happiness may be rendered complete, by discouraging and suppressing
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all groundless suspicions, and domestic disturbances. His Majesty declared he had no other object, and could have no other interest, than to reign in the hearts of a free and happy people; and that it was his earnest wish, that his subjects might not be prevented, by any mistakes, or animosities among themselves, from enjoying, in the fullest extent, the blessings of a mild and legal government. "The support of our excellent constitution," added the sovereign, "is our common duty and interest; by that standard I would wish my people to try all public principles and professions, and to look upon those as their most dangerous enemies, who, under any pretence whatsoever, would persuade them to violate these laws, and undermine that authority, which the constitution has provided for the purpose of preserving the general liberty and happiness."

Thus ended the sessions of parliament. It was full of business, of business of the first importance, yet the continual rejection of motions gave occasion to reflect, that very little of a definite nature was done. The opposition were defeated in every instance, and neither protests nor absence from the house availed them aught. The only gainers, indeed, were the magistrates and printers; who enjoyed the prospect of popular rewards and favour, through the medium of legislative wrath and punishment. But although the ministry seemed to triumph, they triumphed without a victory: they could boast that they carried their measures with a very high hand; but every measure so carried, against the inclinations of the opposition, who could convince, and the people, who could feel, took from their popularity. Not to be popular, as a minister, is to be useless, as well as odious; and however securely they seemed to be

be seated in their places, it could not be an agreeable reflection, that every step they took removed them farther from the affection of that people, to whose acquiescence they must ultimately be indebted for the success of their measures.

During the recess, very few events of importance demand our notice. The members of the opposition began to be tired of their repeated defeats, and disgraced remonstrances; and from many of them having either taken part against the printers, or been lukewarm in their cause, they lost much of that popularity on which they seemed formerly to depend. They were now, indeed, much less numerous and assiduous than before. Many of Mr. Grenville's friends had gone over to the other side; and as almost every motion that came from the ministry was carried by nearly two to one, the minority were very careless of strengthening a party which no efforts could make effective. The printers and magistrates received every mark of public regard; and when, on the rising of parliament, the Lord Mayor and the aldermen were relieved from the Tower, they were welcomed by the most distinguishing demonstrations of congratulation. A mob, as usual, enforced their arguments in favour of illuminations by breaking the windows of the refractory; nor did some of the members of the House of Commons escape the general rage. The city even went so far as to appoint a committee to carry on a prosecution against the Speaker, for commitment of the magistrates; but neither this nor any other proposed scheme of redress answering their intentions, they agreed to have recourse once more to the more regular mode of address to the throne. On July the 10th, the Lord Mayor, aldermen, sheriffs, &c. waited on the King with an address,
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remonstrance, and petition. The subjects of the remonstrance were the proceedings against the magistrates, and the Durham-yard bill; and the petition was for the speedy dissolution of parliament. In the answer, his Majesty expressed his readiness to end the real grievances of his faithful subjects; but that he was sorry to find that a part of them still renewed requests which he had repeatedly refused to comply with.

As affairs on the continent appeared to be in a pacific and promising condition, the Spaniards having fulfilled their agreements relative to Port Egmont, and as there had nothing occurred at home sufficiently urgent to accelerate the meeting of parliament, this did not take place till 1772. January 21st, 1772. The only changes that took place were in consequence of deaths. The Earl of Suffolk succeeded the Earl of Halifax, as secretary for the northern department; and the Duke of Grafton succeeded the Earl of Suffolk, as keeper of the privy-seal. Lord Strange dying, was succeeded by Lord Hyde, as chancellor of the dutchy of Lancaster.

In the speech from the throne, his Majesty expressed much satisfaction, that he had not been under a necessity of calling them together sooner; and that they would now find ample opportunity for the establishment of wise and useful regulations of law, and the extension of our commercial advantages. His Majesty observed, that the performance of the King of Spain's engagement, in the restitution of Falkland's island, and the repeated assurances that had been received of the pacific disposition of that court, as well as of other powers, promised the continuance of peace; which was with the greater confidence to be hoped for, as there existed no reason to apprehend that we should

should become involved in the troubles which still unhappily prevailed in one part of Europe. That although the propriety of maintaining a respectable establishment of the naval forces was apparent, yet no extraordinary aid of this kind was necessary.—The speech concluded with recommending the most vigilant and active attention to the concerns of the country; and assurance was given that the readiest concurrence of the crown would attend every interposition for remedying abuses, or supplying defects.—This speech occasioned less tumult than that of last year, because it was less liable to be objected to, and because it confidently announced peace on the continent. The addresses passed with little disturbance. It was not long, however, before sufficient cause for dispute arose; for, notwithstanding the assurances of peace contained in the speech, a motion came from the ministry, importing the necessity of raising twenty-five thousand seamen for the service of the current year. This motion was defended by maintaining that it was always necessary for us to be superior to the French in the East Indies, which had not been the case since they sent a considerable fleet thither. “It is equally necessary,” said the supporters of the motion, “that we preserve the present strength in the West Indies unimpaired; for the Spaniards know the importance of our settlements there too well, not to make the first attacks on them, if ever a rupture takes place. Besides, we have now twenty of the best ships in our navy employed as guardships, and they want nothing but men to finish them for service.”—“But,” said they who opposed the motion, “this is accompanying a speech declarative of peace, with all the preparations of war; and increasing our peace establishment till we are almost

almost overburthened with it. By this 500,000*l*. will be added to the national expences; and as the same increase may be made every year, on similar pretences, we shall be obliged to suffer all the hardships of an expensive war, in the time of profound peace. If the assurances of peace which came from the throne are well founded, our force in the East Indies is already too great; if not, it is inadequate; and, in the same case, Jamaica is liable to suffer from inferiority." Other objections were brought, but in vain; for the motion was carried without a division.

The petition of the clergy of the established church against subscription to the thirty-nine articles, comes now to be recorded. It occasioned much speculation, and certainly points out the necessity of a temperate reform in matters which fetter the conscience, without improving the cause of religion. The clergy had often held meetings together, relative to this subject; and in the beginning of February about two hundred and fifty of them, with several members of the professions of law and physic, joined in a petition to the House of Commons, the purport of which, as it contains the arguments used by them against subscription, we shall here give.

"Your petitioners apprehend themselves to have certain rights and privileges, which they hold of God alone, and which are subject to his authority only. Of this kind is the free exercise of their own reason and judgment, whereby they have been brought to, and confirmed in the belief of the Christian religion, as it is contained in the holy scriptures. They esteem it a great blessing to live under a constitution, which, in it's original principles, enforces to them the full and free possession of their faith, having asserted the authority
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and sufficiency of the holy scriptures in 'all things
' necessary to salvation; so that whatsoever is not
' read therein, nor may be proved thereby, is not
' to be required of any man that it should be be-
' lieved as an article of faith, or be thought
' requisite or necessary to salvation.' They con-
ceive that they have a natural right, and are also
warranted by those original principles of the re-
formation from popery, on which the church of
England is constituted, to judge in searching the
scriptures, each man for himself, what may or
may not be proved thereby. They find them-
selves, however, in a great measure precluded the
enjoyment of this invaluable privilege, by the
laws relative to subscription; whereby your peti-
tioners are required to acknowledge certain arti-
cles, and confessions of faith and doctrine, drawn
up by fallible men, to be all and every one of them
agreeable to the said scriptures. Your petitioners
therefore pray that they may be relieved from
such an imposition upon their judgment, and be
restored to their undoubted right, as protestants,
of interpreting scripture for themselves, without
being bound by any human explanations thereof,
or required to acknowledge, by subscription or
declaration, the truth of any formulary of religious
faith and doctrine whatsoever, besides holy scrip-
ture itself. Your petitioners are not only ag-
grieved themselves by subscription, as now re-
quired (which they cannot but consider as an
encroachment on their rights competent to them
both as men, and as members of a protestant es-
tablishment), but with much grief and concern
apprehend it to be a great hindrance to the spread-
ing of Christ's true religion; as it tends to pre-
clude, at least to discourage, further enquiry into
the true sense of scripture, to divide communions,
and

and cause mutual dislike between fellow protestants; as it gives a handle to unbelievers to reproach and vilify the clergy, by representing them (when they observe their diversities of opinion touching those very articles which were agreed upon for the sake of avoiding the diversity of opinion) as guilty of prevarication, and of accommodating their faith to lucrative views and political considerations; as it affords to papists and others, disaffected to our religious establishment, occasion to reflect upon it as inconsistently framed, admitting and authorising doubtful and precarious doctrines, at the same time that holy scripture alone is acknowledged to be certain, and sufficient for salvation; as it tends (and the evil daily increases) unhappily to divide the clergy of the establishment themselves, subjecting one part thereof, who assert but their protestant privileges to question every human doctrine, and bring it to the test of scripture, to be reviled, as well from the pulpit as from the press, by another part, who seem to judge the articles they have subscribed to be of equal authority with the holy scripture itself; and, lastly, as it occasions scruples and embarrassments of conscience to thoughtful and worthy persons, in regard to entrance into the ministry, or cheerful continuance in the exercise of it.

“ The clerical part of your petitioners, upon whom it is peculiarly incumbent, and who are more immediately appointed by the state to maintain and defend the truth as it is in Jesus, do find themselves under a great restraint in their endeavours herein, by being obliged to join issue with the adversaries of revelation, in supposing the one true sense of scripture to be expressed in the present established system of faith; or else to incur the

the reproach of having departed from their subscriptions, the suspicion of insincerity, and the repute of being ill affected to the church; whereby their comfort and usefulness among their respective flocks, as well as their success against the adversaries of our common christianity, are greatly obstructed. Such of your petitioners as have been educated with a view to the several professions of civil law and physic, cannot but think it a great hardship to be obliged (as are all in one of the universities, even at their first admission, or matriculation, and at an age so immature for disquisitions of such moment) to subscribe their unfeigned assent to a variety of theological propositions, concerning which their private opinions can be of no consequence to the public, in order to entitle them to academical degrees in those faculties; more especially as the course of their studies, and attention to their practice, respectively, afford them neither the means nor the leisure to examine whether, and how far such propositions do agree with the word of God."—The rest of the petition we omit, as only an explanation of the above. Sir William Meredith presented it, and, with the assistance of other members, endeavoured to enforce it by many arguments against confining or aggrieving the consciences of men, and in favour of universal toleration. He maintained, that nothing but prevarication and hypocrisy would ensue from obliging men to subscribe to articles they did not believe; that the repeal of the laws for subscription would prevent the increase of dissenters, so very conspicuous at this time, and incline many of them to return to the church. Objections were likewise made to the articles themselves. Some said they were compiled in a hurry; and others, that they contained

doctrines highly controvertible; and that, upon the whole, this constraint was the worst of all hardships, because it affected the consciences of men.

Of those who objected to the petition, some argued with decisive warmth, and others considered the matter in the most favourable point of view, and wished for time to consider of it deliberately, or that it might be referred to the judgment of a committee of the clergy. They who opposed it most effectually, reasoned thus; that it was a violation of the laws of the English religion to make any alteration or abrogation of the thirty-nine articles: and if this petition be granted, said they, another will soon follow against the liturgy; the conduct of many of the petitioners, instead of being founded on regard for the interest of religion, originated from hypocrisy and dissoluteness; and some of them have even given rise to suspicions of unbelief in the Trinity, and divinity of our Saviour. Parliament ought not to listen to the complaints of men who wish to profit by the emoluments of the church, to whose laws they will not subscribe; the King is bound by his coronation oath to continue the church government without alteration. Priesthood, like other governments, has a right to make laws for the conduct of its subjects; and if men are not to be restrained by any other articles of union than an assent to the scriptures, the church will soon be over-run with impiety. By this every man has it in his power, nay, many have actually founded blasphemous tenets under pretence of private opinion; and although every man has a right to interpret scripture for his own use, yet no man has a right to obtrude the singularities of private opinion upon others; and if any of the clergy find
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inconveniences that affect the delicacy of their consciences, after they have accepted benefices, they are very welcome to leave them.—The more moderate speakers on the motion, endeavoured to vindicate the character of the clergy from some of the imputations laid to their charge, and contended that the legislature had a controuling power over the articles of the union; an assertion which they confirmed by mentioning the act against occasional conformity, and another against elective patronages, both passed since the union. It was, however, the general wish of the house, that the professors of law and physic might be relieved from the subscription, although they considered not their share in the matter as of great importance to the public. The petition was thrown out by a majority of near one hundred and fifty.

A motion made soon after this, to bring in a bill for quieting the possessions of his Majesty's subjects against dormant claims of the church, was rejected, but by a small majority, notwithstanding the whole strength of administration being directed against it. The attention of parliament was now turned to a matter believed to be of more consequence, the famous royal marriage bill, introduced in consequence of a message from the King.—What gave rise to it was, the marriage of his Royal Highness the Duke of Cumberland to Mrs. Horton, a widow lady, daughter of Lord Irnham, and sister to Colonel Luttrell; and the marriage of his Royal Highness of Gloucester with the Countess Dowager of Waldegrave. The message recommends to both houses to take into consideration, whether it may not be expedient to supply the defects of the laws now in being, and, by some new regulations, more effectually to prevent the descendants of his late Majesty (excepting the issue

of princeſſes who have married, or may hereafter marry into foreign families) from marrying without the conſent of his Maſteſty, his heirs and ſucceſſors. A bill was accordingly brought in to this effect, and declaring all marriages without ſuch conſent, to be null and void. The deſcendants, if above twenty-five years of age, may, however, marry without the royal conſent, after having given to the privy council notice of their intention; provided before the expiration of that term the parliament ſhall have expreſſed no diſapprobation of the match. This bill met with great oppoſition, and it's enemies took every poſſible method to prevent it's ſucceſs. It would be tedious to enumerate all the arguments uſed on this occaſion, and on every collateral motion which was made. The opinion of the judges being demanded, they reported, that the care and approbation of the marriage of the children and grand-children of the King, and the preſumptive heir to the crown, (other than the iſſue of foreign families) do belong to the Kings of this realm; but to what other branch of the royal family this care and approbation extends, they could not find precedents ſufficient to determine. In the Houſe of Commons, every part of the bill was contended for and againſt with the greateſt ardour. The moſt material objections to it, and which were the ſame in both houſes, may be learned from the following extracts of two proteſts entered in the Houſe of Lords againſt it.

“ We think the declaratory principle in the preamble of the bill to be without foundation in law, (in the extent there ſtated) to be unneceſſary for the avowed purpoſes of the bill, and likely to be attended with very dangerous conſequences; as that preamble does aſſert, “ that we are ſenſible
“ that

“ that marriages in the royal family are of the
 “ highest *importance* to the state, and that *therefore*
 “ the Kings of this realm have ever been trusted
 “ with the care and approbation thereof.” The
 maxim here laid down is founded on a doctrine
 absurd and unconstitutional; but which hereafter
 will have the force of a parliamentary declaration
 of law, the immediate tendency of which is to
 create as many prerogatives in the crown as
 there are matters of importance in the state; and
 indeed to extend them in a manner as vague and
 exceptionable as had ever been done in the worst
 and most despotic periods in the history of this
 nation; and we apprehend that some future, and
 even more dangerous use may be made of this
 preamble, as it is much more extensive than is
 necessary for the purpose avowed in the bill. The
 enacting part of the bill has an inconvenient and
 impolitic extent, namely, to *all descendants of*
George the Second. In course of time that descrip-
 tion may become very general, and comprehend
 a great number of people; and we conceive it
 would be an intolerable grievance, that the mar-
 riages of so many subjects, perhaps dispersed among
 the various ranks of civil life, should be subject to
 the restrictions of this act, especially as it has been
 asserted in argument, and endeavoured to be main-
 tained by the authority of the grand opinion given
 by the judges in the year 1717, that the care and
 approbation of the marriage includes the educa-
 tion and custody of the person. We fear that this
 extensive power would come, in time, to make
 many of the first families in the kingdom totally
 dependant on the crown; and we therefore la-
 ment that the endeavours so earnestly used in the
 committee, in some degree to limit the generality
 of that description, were not suffered to take ef-

fect.—As the line is too large with regard to the description of the royal family, so we think that the time of nonage for that family is also improperly extended. We conceive that the age of twenty-one years is that limit which the laws of this country, and the spirit of the constitution, have with great wisdom given to minority. We also conceive that the deferring their age of majority, as to marriage, till twenty-six, is impolitic and dangerous, as it may tend to drive them into a disorderly course of life; which ought to be the more guarded against in men of high rank, as the influence of their example is the most forcible and extensive. The power given by this bill to a prince to marry, after the age of twenty-six, having first entered in the books of the privy council, his intention so to do, for twelve calendar months, is totally defeated by the subsequent proviso, “Unless both houses of parliament shall, before the expiration of the said twelve months, expressly declare their disapprobation of such intended marriage.” This proviso lays great difficulties on future parliaments, as their silence, in such a case, must express a condemnation of the King’s refusal; and their concurrence with such refusal, may prove a perpetual prohibition from marriage, to the person concerned. We conceive the right of conferring a discretionary power of prohibiting all marriages (whether vested in the crown alone, as intended by the message, or in the manner now enacted by the bill) to be above the reach of any legislature, as contrary to the original inherent rights of human nature; which, as they are not derived from, or held under civil laws, by no civil laws whatever can be taken away. We freely allow, that the legislature has a power of prescribing rules to marriage, as well
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as to every other species of contract; but there is an essential and eternal difference between regulating the mode in which a right may be enjoyed, and establishing a principle which may tend entirely to annihilate that right. To disable a man, during his whole life, from contracting marriage, or, what is tantamount, to make his power of contracting such marriage dependent neither on his own choice, nor upon any fixed rule of law, but on the arbitrary will of any man, or set of men, is exceeding the power permitted by the Divine Providence to human legislature: it is directly against the earliest command given by God to mankind, contrary to the right of domestic society and comfort, and to the desire of lawful posterity, the first and best of instincts implanted in us by the Author of our nature, and utterly incompatible with all religion, natural and revealed, and therefore a mere act of power, having neither the nature nor the obligation of law.—We conceive this bill to be pregnant with civil discord and confusion; it has a natural tendency to produce a disputed title to the crown. If those who may be affected by it are in power, they will easily procure a repeal of this act, and the confirmation of a marriage made contrary to it; and if they are not, it will at least be the source of the most dangerous party that can exist in any country, a party attached to the pretender to the crown, whose claim, he may assert, has been set aside by no other authority than that of an act, to which the legislature was not competent, as being contrary to the common rights of mankind. Such a claim, supported, as it may be, by peculiar hardship in the case, must, as we conceive, at no very remote period, create great mischief and confusion.—This bill, which resorts to such harsh and

unusual methods, at the same time provides for it's own purpose very uncertainly, and very imperfectly, for it secures no remedy against the improper marriages of princesses, married into foreign families, and those of their issue, which may full as materially affect the interest of this nation, as the marriages of princes residing in the dominion of Great Britain. It provides no remedy at any age against the improvident marriages of the King reigning; the marriage, of all others, the most important to the public. It provides nothing against the indiscreet marriage of a prince of the blood, being regent at the age of twenty-one; nor furnishes any remedy against his permitting such marriages to others of the blood royal, the regal power fully vesting in him, as to this purpose, and without the assistance of his council. We cannot, therefore, on the whole, avoid expressing our strong disapprobation of an act shaking so many of the foundations of law, religion, and public security, for ends wholly disproportioned to such extraordinary efforts, and in favour of regulations so ill calculated to answer the purposes for which it is pretended they are made."

In answer to these arguments it was repeatedly alledged, that all the inconveniences so much talked of were merely imaginary; and if the King should make any improper use of this authority, parliament had it always in their power to obviate the proceeding, or punish the minister who dared to advise it. The crown is greatly dishonoured by improper connections, and many of the most momentous national calamities have proceeded from improper alliances between the royal family and the subjects; and that, if from after-experience we shall find any material grievances ensue from this act, we could as easily repeal it then, as
throw

throw it out now, and upon purer grounds. The bill, enforced by these, and many other powerful arguments, passed in the House of Lords by ninety to twenty-six. In the Commons the majority was less, 165 being for the bill, and 115 against it.

Although from the late decision relative to subscription to the thirty-nine articles, it appeared, that the sense of the house was most expressly against this new invasion, yet the case of dissenting clergymen was not considered in the same points of view. During the debates, so many encouraging hints were thrown out regarding them, that very soon after a numerous body of dissenters assembled, and presented a petition, praying to be relieved from the hardship of subscribing to the articles of a church to which they did not belong. The principal opponents to the former petition were doubly alarmed at this unexpected attempt, and spoke of it with the greatest severity; but they were so ill supported, that the bill for relief was carried through the House of Commons by a prodigious majority; who maintained, that nothing can possibly advance the truest interest of a church so much as toleration; and if articles of subscription are necessary, they must only be necessary in the case of men destitute of principle, and who would, in compliance with ambition, or avarice, as readily subscribe to one set as to another. If from this toleration any of the fundamental doctrines of christianity are daringly impugned, there are not wanting laws to correct the impious invader. The dissenters, as has been acknowledged, have in some measure departed from their original maxims and institutions, but this only in matters of indifference. It is the effect of learning, leisure, and refinement, to give men many opportunities to make alterations in established forms;

forms; almost every sect has done the same. The general complexion of men's minds, as it alters with an altering state, will of course have it's effect on the prevailing religions. It is long since the dissenters have been connived at, and virtually exempted from this subscription; and yet the piety and decency of many of them, particularly in Ireland and Scotland, where no such laws are in being, shew sufficiently, that men who are stedfast in the purity of religion will not be confined nor influenced by laws of men's invention. The dissenters enjoy full liberty at present, even while the laws are in full force, by connivance; but where is their security against the sudden attacks of malice and envy, which may be backed by the sanction of law? Every law that is neglected by connivance, is an additional proof of the necessity for abrogating that law; and liberty is but an empty name, while a man enjoys it only by the oversight, as it were, of his superiors.

These arguments availed the petitioners very little in the House of Lords, for the bill was rejected there by a majority of seventy. The principal reasons were those against universal toleration, the great danger the church of England would be brought into by this departure from the laws which guarded it's privileges, and the cause which the dissenters had to be satisfied with the dispensation of their religion by connivance. The laws were only kept on the code as a necessary curb, lest, in the degeneracy of a declining kingdom, religion should be destitute of protection against the introduction of heresy and blasphemy. But how long this spirit of hatred to universal toleration animated the parliament, we shall see more plainly when we come to speak of their granting

granting to Roman catholics much of what they now refused to protestant dissenters.

Some attempts at an enquiry into the affairs of the East India Company are the only events of importance that remain to be mentioned. Of these we will speak in the ensuing session. During this it may be remarked, that opposition were vanquished in every encounter, even although the Rockingham and Chatham parties were not considerably diminished by desertion. In the speech from the throne, his Majesty commended the temper with which they had conducted their deliberations, and thanked them for the additional security his family had obtained from their late decision, and for the cheerfulness and dispatch with which they had granted the supplies. They were assured, of the pacific disposition of other powers, and enjoined to carry into their respective countries the same zeal and principles which they had shewn in parliament. His Majesty concluded with declaring his firm persuasion, that the prosperity and glory of his reign must ever depend on his possessing the affections, and maintaining the happiness of his people.

During the recess, no events took place which were not afterward the subjects of parliamentary investigation. The parliament met on November the 26th. In the speech, his Majesty gave the very critical situation of the East India Company's affairs as an excuse for having called the houses together sooner than usual; being determined that they should have an early opportunity of informing themselves fully of the true state of their affairs, and of making such provisions for the common benefit, and security of the various interests concerned, as should be found adapted to the exigencies of the case. The pacific disposition of
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the other powers towards us was again taken notice of, and satisfaction expressed, that the continuance of peace had afforded an opportunity of reducing the naval establishment, but that a considerable strength must ever be necessary for the preserving the reputation and power of these kingdoms. Economy with regard to the supplies was promised, and every exertion which human wisdom could devise was recommended, in order to remedy the evils that had arisen from the dearth of the corn.

The affairs of the East India Company took up nearly the whole attention of this session; but as the steps which led to the extraordinary revolution in these affairs were unavoidably interrupted, at different times, during the session, we have purposely altered the order of narrative, and by dispatching, with as much brevity as possible, the other subjects of parliamentary enquiry, we will have an opportunity to give a concise and connected account of the East India affairs, uninterrupted by any circumstances which prevented a like regularity in the investigation.

The fruitless, and, as was alledged, the cruel attempts to deprive the inhabitants of the island of St. Vincent of their possessions, gave occasion to much speculation, and many severe reflections on the character of some of our West India planters. By the treaty of peace with France in the year 1763, St. Vincent was ceded to Britain, and at that time was thought to contain about five thousand French inhabitants: the number of the Caribbs was uncertain, but some gave out that they amounted to a thousand *fighting* men. Commissioners from England were appointed for the sale of the profitable lands on the island. The French were allowed to keep their possessions, under certain

tain conditions; but many of them, rather than live under our government, having abandoned their property, were succeeded by English, who in a short time became very numerous and wealthy, and not without that power and ambition which wealth commands. Assurance was given to the Caribbs, that their possessions should remain undisturbed: but this did not continue long to be the case; for, after a leisurely survey of that part of the island which the Caribbs possessed, the English settlers began to think, that they not only had the most fruitful parts, but likewise that those parts were totally useless to them, as they lived by hunting and fishing, and neglected the cultivation of land. It was therefore proposed, that they should be persuaded to leave their present possessions, and, in lieu thereof, accept of settlements on any island better suited to their genius and manner of life. The lords of the treasury adopted these measures, and, in the beginning of the year 1768, gave orders to survey and dispose of the lands possessed by the Caribbs. This people alarmed at the appearance of the design, and being very much prejudiced against the English, peremptorily refused to surrender any part of their lands, or listen to any proposals of exchange; denying, at the same time, that the King of Great Britain had an authority over any other parts of the island, than those occupied by the French at the conclusion of the peace. After many threatening proceedings, the English settlers took up arms; but, unwilling to proceed to violence without instructions from the King and council, they agreed to lay the matter before them. Rather, however, than proceed to disagreeable extremities, the commissioners (in 1771) proposed to some of their chiefs a new set of terms
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for the exchange of the possessions, but without effect, as the Caribbs would neither agree to them, nor swear allegiance to the throne of England. Government, hitherto averse to violence, now gave orders, that two regiments should be sent from North America, which, with the assistance of other troops from the islands, and his Majesty's ships upon that station, might reduce the Caribbs to a compliance with the terms.

This expedition did not succeed as was expected, but part of the intention was fulfilled, by the Caribbs having agreed to the articles of a treaty drawn up by Major General Dalrymple, commander of the forces. This unhappy people, indeed, found themselves more bold than powerful. Surrounded on all sides, and hindered from their usual methods of subsistence by hunting and fishing, they were too much fatigued to be able to employ their forces with any success; our army, too, laboured under great disadvantages from the inclemency of the soil and season; so that after a few skirmishes, in which we lost but an inconsiderable number of men, a treaty was concluded, in February 1773, between the commander and the chiefs of the Caribbs, suited to the necessities, if not entirely to the satisfaction, of both parties. The Caribbs acknowledged the sovereignty, and took the oath of allegiance to his Britannic Majesty, but were allowed to keep their possessions, and adhere to their ancient usages, and only enjoined to submit to the laws and government of the island, as far as related to intercourse with the whites. They ceded, at this time, a considerable possession to the crown, and were confirmed in perpetual right to what remained.

Previous

Previous to the conclusion of this treaty, the affair was agitated in parliament. From the evidence of many creditable witnesses, unbiassed by any private interest, it appeared, that the Caribbs had been very ill used, and that our men contended under the greatest disadvantages, both from the rainy seasons, and the consciousness of being engaged in an unjust cause: that the Caribbs were quiet and inoffensive people; and provoked, as they had been, by the treatment received from the planters, only shewed such marks of resentment as no free and injured people could have withheld.—The planters, on the other hand, represented the Caribbs as a cruel and treacherous set of men, and abandoned to irregularities; but as they brought no evidence in support of their assertions, they only increased the general suspicion, that the Caribbs had been used in a manner unjust and inhuman. After many strictures and replies, the following motions were made.—

1. “That the expedition against the Caribbs was undertaken without sufficient provocation on the part of these poor people, and at the instigation of persons interested in their destruction, and extirpation. 2. That sending the troops in the unhealthy season of the year, unprovided with camp equipage and necessaries, on that service, is not justifiable by any necessity of immediately increasing the military force in that island, is contrary to the advice of the governor, and must prove unnecessarily destructive to some of the best troops in the service, probably defeat the very purpose for which they were sent, and bring disgrace on his Majesty’s arms. 3. That an address be presented to his Majesty, desiring that his Majesty will be pleased to acquaint the house by whose advice the measure was undertaken,—a

measure equally repugnant to the known humanity of his Majesty's temper, disgraceful to his arms, and derogatory from the character of the British nation."—The arguments for and against these motions were principally directed to prove or disprove the allegations in favour of the Caribbs, and the supposed interested views of the planters, which had prompted them to attempt the extirpation of the islanders. But as the motions were brought in by the opposition, it is not to be wondered that they failed; the first was rejected by two hundred and six against eighty-eight, and the others by a less majority, owing to the thinness of the house.—The matter would not, probably, have ended with this decision, if the accounts of the treaty with the Caribbs had not arrived immediately after, and put a stop to any farther dispute concerning this affair.

A petition presented, about this time, to the house, from the half-pay captains of the navy, praying for a small addition to their subsistence, was strongly opposed by the minister, who contended, that the present state of national finances could not allow of any increase of expences; and that if this was granted, other bodies of men would urge similar requests, perhaps worse, or as well founded. But the arguments in favour of the petition prevailed so far on the humanity of the house, and their attachment to the interest of the navy, and the distressed of brave invalids, that the motion for redress passed by a majority of nine; and an address was presented to the throne for an addition of two shillings *per diem* to the captain's half-pay.—The dissenters' bill of last year being renewed, met with the same fate as before; and a motion for a committee of the whole house, to consider of the subscription to the thirty-nine articles,

articles, was rejected by a great majority. We now return to the detail of the extraordinary circumstances which led to a revolution in the affairs of the East India Company.

As far back as the year 1767,* it was projected to bring the affairs of the company under the immediate inspection of the crown. These affairs being at that time in a very flourishing condition, the government judged it expedient that the nation should profit by the immense wealth of the company. This design did not succeed, as intended, then; but never had been wholly abandoned, when the perplexities into which the company's affairs were now thrown by the mismanagement of its servants, and the inability of the company to ward off the impending blow by any pecuniary respite, afforded the crown a plausible opportunity for effecting their extraordinary measures. During the last sessions, a bill was brought into parliament for the purpose of restraining the governor and council from all manner of trade; for making a total alteration in the court of judicature, and in the mode of administration at Bengal; and for enlarging the company's powers over its servants. The many urgent reasons, with which this bill was supported, only served as an opening to the succeeding great business; for it was rejected after the second reading. During the debates, two material points seemed to gain credit with the public, viz. that the affairs in India were in a very confused situation, owing to the malpractices of the company's servants; and that the company was, of itself, insufficient for the government of such extensive possessions; and, of course, that the necessity for giving up the management to government was very apparent. At

* Vide History of the Reign of George the Third, Vol. I. p. 263, et seq.

the same time, a motion was made, by a gentleman unconnected with administration, for appointing a SELECT COMMITTEE of thirty-one members, to enquire into the state and nature of the East India Company, and their affairs in India. Many reasons were urged against this appointment; as, that the season was too far advanced for a business of it's probable length and importance; that as the committee would be a secret one, it was not amenable for it's conduct; and that partiality might arise, from the minister having it in his power to nominate the members of the committee. The motion was, notwithstanding, carried without a division, and the members chosen by ballot.

During the recess, the embarrassments of the company increased in number and perplexity; an empty treasury at home; the immense amount of bills from Bengal, accepted, and now nearly due, with debt to the Bank, and other public offices, almost produced bankruptcy, and rendered the company an easy prey to any designs government might have against them. The directors petitioned for a loan; and the minister, with cool indifference, desired them to apply to parliament. If any thing could increase this confusion, it was the publication of the reports of the select committee above-mentioned, which principally regarded the conduct of the company's servants in Bengal. As soon as the parliament assembled, the minister moved for another committee, under the name of a COMMITTEE OF SECRESY, to consist of thirteen persons, for taking into consideration the state of the company's affairs, which by this means might undergo a full investigation, yet without being unnecessarily exposed to the world, which had been done by the last committee, and had excited universal indignation; that as the members of this new committee were to be chosen by ballot, no
2 objection

objection could be made that did not militate with equal strength against an investigation by the whole house. On the other hand, it was alledged, that this mode of enquiry, by a small number, and in *secresy*, was unprecedented, and therefore unconstitutional; that the members would, in effect, be nominated by the minister, and act under his direction; that it was impossible to reconcile the idea of a *secret* committee with the free investigation of a whole parliament. Every information, said the opponents to this motion, which the minister thinks proper to conceal, will be withheld; and allowing that this may not be the case, a *secret committee* is a solecism in terms. It can be no longer a secret than during the time it takes for enquiry. The proceedings of it must be laid before the public, and if they give an unjust account, the house will be deceived, and without the power to come at the truth. Notwithstanding this opposition, the motion for the appointment of this *secret* committee passed, as the others had done, without a division. The members were, indeed, chosen by ballot; but so favourably for administration, that almost the whole of them happened to be gentlemen devoted to it. This committee were enjoined to consider of sending out a commission of supervision to the East Indies. In the course of the debates on this motion, insinuations were thrown out against the select committee, which drew forth spirited answers from some of the gentlemen who composed it.—That select committee likewise was revived, the day following the determination regarding the secret committee. Thus, said some at this time, these committees will be a check on each other, and between them the nation will have every requisite degree of information on the whole business.

The first report of the secret committee, which was given in very soon after the appointment, stated, that as the company were in the greatest distress for want of money, a bill ought to be brought into parliament, to restrain them from sending out a very expensive commission of supervision to India, which at this time they meditated. The minister, and his friends, combated strongly in defence of the expedience of this bill, declaring, that as it was the sincere wish of parliament to render them a great and glorious company, it was not consistent with such a wish to permit them to engage in an expensive commission; at a time, too, when their affairs were in so much confusion as to oblige them to apply to government for a loan. It was doubted, moreover, whether the company had powers to appoint a commission of this nature, without the permission of parliament; and, at any rate, they could not give authority to their commissioners without an act of parliament. Not less strong, however, was the opposition to this bill. It had become now customary to apply the epithet *unconstitutional* to every measure proposed by administration, and on this occasion it was by no means omitted. The want of cash, said the opposition, is not of the very first importance, since the credit of the company is at this hour established as firmly as ever. The company has made choice of a set of men in whom they can confide; the many losses they have met with from the conduct of their servants, render the commission indispensibly necessary; and as for the expence, it is to be paid from the savings which will undoubtedly accrue from a step so prudent. Because the East India Company, or any other company, are distressed, are they to be allowed no opportunities, nor have the least assistance, in order to extricate themselves?

themselves? The company cannot be said to want proper respect for parliament; they shew it by delaying the departure of this commission till the enquiry, instituted by the house, can be finished; neither must the company be wanting in respect for their own interest, their charter, and constitution, and they seemed to shew that concern by every possible mark of opposition to this bill. Administration boast of their intentions, and their wishes to make the company great and glorious; but how can we expect greatness or glory to proceed from a quarter in which it exists not? The conduct of ministers, in adopting measures subversive of the laws of the land, and the frequent acts of wanton authority lately committed, have lessened the dignity of parliament, effaced it's glory, and turned it's greatness into the abuse of power. How is the company to be rendered great and glorious? Is it by plundering the proprietors of immense sums of money, by exorbitant grants and dividends? or is it by taking away their charter? If charters are not to be depended on, and after this act they cannot, where is the deed or agreement that carries security along with it?—As a last effort of prevention, two gentlemen belonging to the company, and then present in the house, pledged themselves, that the commission of supervision should not be allowed to depart, until, from further reports, a most perfect knowledge of the company's affairs should be acquired. This proposal was no sooner made than rejected; it was said to be defective in security, as the company could in one day make an agreement of this sort, and the next break through it; which could only be prevented by an act of parliament; especially as the ministry have no motives for promoting this measure, but a regard for the welfare of the

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company;

company, and a desire to restore the affairs of it to a better state. Every endeavour, however, was adopted, in order to prevent this motion from being carried; a petition was presented from the company; some of the servants were examined in the House of Commons, who might confirm the necessity of sending over supervisors, qualified to reduce their affairs to some regularity, by being on the spot, and curbing the licentious abuse of power which their servants in the Indies had been guilty of. Some curious facts appeared on this examination; the principal of which were, that from the year 1765 to 1773, the company's expences had increased from 700,000*l.* to 1,700,000*l.* per annum; and that government had received near two millions annually from the company, and in extraordinaries had immense profits, while the proprietors lost considerably of the dividend which the profits on their trade only would have afforded. On the first reading, the motion was carried by a great majority; an hundred and fourteen being against forty-three. When the bill came to be read for the last time, the debates were conducted with great warmth. Counsel was heard on the side of the company. It was proved, that the company had a legal right to appoint it's servants, and manage it's internal affairs, and that the misconduct of it's servants rendered the speedy exercise of this power particularly necessary. These arguments of the counsel, the supporters of the bill alledged, were express on their side of the question. The confusion in India, added they, can be remedied by the legislature only; the powers of a supervision from the company are entirely inadequate to the attempt; which is especially liable to failure from this circumstance, that the governors and council in India, the very suspected

pected persons, are joined in commission with the supervisors, and made judges of their own offences. It is true, charters are made by parliament, and frequently ratified; but the eventual necessities which occur in the progress of time are such, as justify any modification like the present, especially when it's object is no less than the welfare of the greatest commercial company in the world. Their charters extend to trading in the countries of India, but a supreme power of legislation must ever rest with government. If the company were determined to act on their own bottom, why apply to parliament? and why pretend to act without parliamentary aid, at the time when their affairs were under the consideration of parliament?

The objections to this train of reasoning were many, and strongly enforced. The company have well provided against the evils which are supposed to be probable, from some part of the supervision falling into the hands of the suspected persons, by a resolution, that no act of supervision shall be valid without the presence of three of the commissioners; and by investing the supervisors, to be sent out, with a power of controul over the governor and councils. But if, by this bill, the dispatch of the supervision be delayed for six months, six months of farther delay will be occasioned by the season; and, in this space, the offenders will be acquainted of their danger, and have time to accumulate their enormities, and distress the affairs of the company beyond the power of any after redress. The parliament, it is true, has a supreme legislative power; but is not that power stretched to an unwarrantable length, when no necessity can be urged in it's defence? The rights of the East India Company were sold by

parliament, not granted; and if the pernicious measure in question be carried into execution, it destroys security on the faith of the nation, and affects the other large trading companies in a very material degree; the credit of the nation will be most hurt at a time when it is most needed, viz. in the case of war. Besides, the plan to be pursued by this supervision received the sanction of parliament; and no objection would now have been offered to it, if the company had not determined to place their confidence in other men than those appointed by the ministry. And after all the arguments in support of parliamentary interference with the affairs of the company, of what avail has this interference ever been to them? What followed from the proceeding of 1767, unless the exaction of an enormous sum of money, and a special care taken that the bargains of the company with government should be frequently renewed with the greatest profit to government, and the greatest loss to the company? From the select or secret committees what has been gained? Nothing more beneficial than murmuring and complaining has reached our ears, and the rejection of a bill brought in last year, for enabling the company to punish it's own servants, and regulate it's own affairs.—In spite of all the opposition, however, the bill for restraining the company from the commission of supervision, was carried by a great majority; one hundred and fifty-three voting for, and only twenty-eight against it.

In the House of Lords, it had similar success. A petition, indeed, was presented against it, by the proprietors; but signed by a number so inconsiderable, as to furnish an argument rather against the object of request than for it. It was denied by those who supported the bill in the upper house, that administration had ever given a sanction

tion to the commission for superintending the affairs of the company; and alledged, that national credit, so far from being hurt, would be promoted by the present bill; and foreign merchants would place more confidence in the company, when under the care of parliament, than when independent of, and unprotected by it. The great majority who carried the motion in the other house, was pleaded as an additional argument in it's favour, and had such influence, that, upon a division, twenty-six lords voted for it, and only six against it. Why that small number opposed it, will appear from the following extracts from their protest.

“ This bill takes away from a great body corporate, and from several free subjects of this realm, the exercise of a legal franchise, without any legal cause of forfeiture assigned. The persons appointing the commissioners had by law a right to elect, and the persons chosen had by law a capacity of being elected. The choice was regularly made according to the constitution of the company. It was confirmed on ballot. The supervisors had a full right vested in them, agreeable to the powers and conditions of their appointment. No abuse has been suggested, no delinquency has been charged. These legal rights and capacities are therefore taken away by a mere arbitrary act of power, the precedent of which leaves no sort of security to the subject for his liberties; since his exercising them, in the strictest conformity to all the rules of law, as well as to those of general equity and moral conduct, is not sufficient to prevent parliament from interesting it's sovereign powers to divest him of those rights; by means of which insecurity, the honourable distinction between the British and other forms of government

is in a great measure lost; a misfortune which we are sorry to find greatly growing upon us, by those temporary, occasional, and partial acts of parliament, which, without consideration of their conformity to the general principles of our laws and constitution, are adopted rashly and hastily on every petty occasion. This bill appears to us a manifest violation of the public faith. The charter of the East India Company has been granted by the crown, authorised by act of parliament, and purchased for valuable considerations of money lent and paid. The charter empowers the company to manage its own affairs, according to its own discretion, by persons of its own appointment. This bill suspends for a time the exercise of this privilege; and, by grounding a supervision upon the actual interference of parliament on the affairs of the company, establishes a principle which may be used for perpetrating indefinitely the restraint, because parliament may keep their affairs, by frequent revisions, almost perpetually under consideration. The same principle is also applicable to the suspension or deprivation of any other privilege which they hold under their charter. We admit that it is difficult to fix any legal limit to the extent of legislative power, but we apprehend that parliament is as much bound as any individual to the observance of its own compacts; else it is impossible to understand what public faith means, or how public credit can subsist.— It appears by evidence at the bar of this house, upon oath, that the company had received assurances from their chairman, and deputy chairman, that the appointment of a commission for superintending and regulating their affairs would be approved by administration. This is the only channel of communication with ministers that the

the company can have; and it is peculiarly hard, that, driven from all confidence in public faith, and the laws of their country, they should find no security for their charter privileges, against the attempts made by those very ministers under whose sanction they had all possible reason to believe they had been acting. It appears to us, that the company was not only authorised by law, but bound in duty, to appoint a commission for regulating their affairs, and correcting abuses; and it would, in our opinion, furnish a more plausible ground for attacking the lawful powers of the company, if it were charged that they had not exercised them for redress of the said abuses, than that they had appointed a commission for such a necessary purpose. It might have been alledged by the adversaries of the company, that nonuser, and neglect of applying legal powers for the ends for which such powers were given, were matters of delinquency in that corporation, and might have subjected them to process in the courts below, or to an adverse proceeding in parliament. It is a government, as we conceive, full of deceit as well as violence, where men are to be punished if they decline, or to be restrained if they endeavour to exercise their lawful powers.—We have reason to believe, from public opinion and report, that great abuses still prevail and increase in the company's settlements abroad; which makes it highly expedient, that the commission restrained by this bill for six months should have as little delay as possible. Six months delay in the commission will, by the nature of the season, certainly protract it's operation for a year, and probably for much longer. By this means all abuses will gain ground, and their reformation will become more difficult; nor can we allow, that the speculation of
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more ample powers to be hereafter given by parliament (but which are not as yet so much as proposed) can furnish an adequate reason for preventing the operation of such powers as legally exist at present. Besides, without suspending the commission, any degree of authority, thought expedient, might have been superadded to the present powers given by the company: we do therefore, in this solemn manner, exculpate ourselves to the present time, and to posterity, from having any share in the oppressions which may arise, or be continued on the native inhabitant in the company's possessions in India.—It must be a matter of astonishment to the public, who have for a long time earnestly and anxiously looked to the company, or to parliament, for redress of grievances in India, to find, at length, that the latter is only employed in preventing the former from doing it's duty; that instead of correcting the abuse, we oppose ourselves to the reformation; that when it was expected that those who have wronged the company should be brought to exemplary punishment, the suffering company itself is deprived of it's rights; and instead of calling delinquents to account, the persons legally empowered to correct or restrain them, are by parliament suspended from their office. It was the more necessary for the company to give the strictest attention to their affairs, to enable them to answer the exorbitant demands of government, as it appeared from the witnesses at the bar, that the exactions of parliament have amounted to more than the whole of the profits from the late acquisitions, and the trade in consequence of them; while the proprietors, who have spent so much, and so often risked their all for obtaining these acquisitions, have not been permitted to divide even so much as the profits of their
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their former trade would have afforded. This bill has been brought in at a season when the house is always ill attended (the day before Christmas), and carried through with a violent and indecent precipitation. The reason assigned for this precipitation is as unsatisfactory, as the act is violent; "that unless the bill was passed, the commissioners might sail during the recess at Christmas." This, considering the circumstances, is almost physically impossible; nor, if it were otherwise, can we think the mere possibility of the abuse of a legal right in the subject, any sort of reason for our being precipitate in taking it away. A reason of fact is alledged in the preamble of the bill, stating the expence of the commission to be very considerable; and this house has not before it any account or estimate of the expences actual or probable; nor are we supplied with any account, shewing, or tending to shew, the present ability or inability of the company to bear it; so that Lords are made to assert facts, and on these facts to ground a law, altering the condition, and suspending the charter rights of the company, without a possibility of knowing whether the said facts are true or false.—This house, not content with asserting the said facts, without any knowledge of their foundation, did absolutely resolve to continue uninformed, refusing to call for the evidence of the directors concerning the expence; or, in a matter of such importance, both in itself, and in it's example, to follow the ancient settled parliamentary course of desiring a conference with the Commons, in order to be acquainted with the evidence which they received as the grounds of their proceeding; by which means the house submits to be the instrument of the Commons, to be merely the register of their acts,
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and to lower in the estimation of the world the natural honour and dignity of the Peers."

During the debates on this bill, the secret committee gave in their second report, containing a statement of the debt, credits, and effects of the company in England, beginning with an account of the cash in the company's treasury, on the 1st day of December, 1772, being the day on which the committee entered on this enquiry, and of such sums as the company expect to avail themselves of, from the produce of their present sale, and of all other sums which they will be entitled to receive before the 2d day of March, 1773, the day on which their next sale will probably begin; and a statement *per contra*, on the debit side of the account, of all demands upon the company in England already due, and such others as will become due before the said 2d day of March; of which day the committee made choice for the final period to this first part of their state of the company's affairs in England, as the company will then have received the principal payments for goods sold in their present sale. This they called the cash account. In the same report was stated the remainder of the company's effects and credits in England, and, *per contra*, all other debts of the company, which will not become due till after the said 2d day of March, 1773. It concluded with a like account of the debts, credits, and effects, of the company abroad, at their presidencies in India, in China, at St. Helena, and floating on the sea. It may not be amiss to mention the gross sums specified in this report. The amount of cash in the company's treasury, on the 1st day of December, 1772, was 1,669,410*l.* 11*s.* 5*d.* The debts of the company due on the 1st day of December,

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or which will become due before the 2d day of March, 1773, amount to 2,183,835l. 12s. 5d. When the sum in the company's treasury is deducted from this amount of the debts, the balance against the company will be 514,425l. 1s. The remainder of the company's effects and credits in England, and such of their debts as will not become due till after the 2d day of March, 1773, make up the sum of 7,784,689l. 12s. 10d. Besides the balance against the company of 514,425l. 1s. the company are further indebted in the sum of 9,219,114l. 12s. 6d. from which, if the value of the company's credits and effects in England (and such of their debts as will not be due till after the 2d of March 1773) be deducted, the balance against the company, with respect to their debts, credits, and effects, in England, is the sum of 1,434,424l. 19s. 8d. By the statement of the company's debts, credits, and effects abroad, it appears that the cash, credits, and effects, amount to 6,397,299l. 10s. 6d. the debts owing by the company amount to 2,032,306l. which sum, deducted from the above amount of their effects, leaves a balance in favour of the company of 4,364,993l. 10s. 6d. It must be observed, that there is in this report no valuation of the fortifications and buildings of the company abroad. This report or statement gave no satisfaction. The mode of enquiry by *secret* committees having always given offence, every proceeding of this body was viewed with discontent. Some did not hesitate to alledge, that this statement was an unfair one, and that impartiality was not to be expected from a set of men, who had it in their power to make what report they thought convenient for the interest of government measures. The members of the committee

mittee declared their innocence, and challenged their accusers to bring any proof of their allegations; and the ministry maintained, that, till such proof was brought, the house was bound to abide by the determinations and reports of a committee appointed by itself, and chosen from it's number.

Soon after the holidays, the business was revived by a petition from the company to parliament, praying for relief. Several propositions were made in this petition; the principal of which was a requisition ' for a loan of 1,500,000*l.* for ' four years, at four per cent. interest, with liberty ' of repaying the same, according to the ability of ' the company, in payments of not less than ' 300,000*l.* and that the company should not ' make a dividend of more than six per cent. until the loan should be reduced to 750,000*l.* that ' then they might raise their dividend to eight per cent. and after the whole loan was discharged, ' that the surplus of the nett profits arising in ' England, above the said dividend, should be appropriated to the payment of the company's ' bond debt, until it was reduced to 1,500,000*l.* ' and from thence, that the surplus profits should ' be equally divided between the public and the ' company. It was also requested, that the company should be released from the heavy penal ' interest incurred by the non-payment of money, ' owing in consequence of the late acts for the indemnity on teas, and discharged from the annual ' payment of the 400,000*l.* to the public for the ' remainder of the five years specified in the ' agreement.' They farther requested, that the accounts of the Duannee revenues, of the charges of collection, expences of Bengal, company's accounts of sales, &c. should be delivered annually
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to parliament; and that leave might be given to export teas, free of all duty, to America, and to foreign parts. The granting this request was judged expedient, and the following resolutions agreed to, "That it is the opinion of this house, that the affairs of the East India Company are in such a state, as to require the assistance of parliament. That a loan is necessary to reinstate the company's affairs; that the supply be granted to the company, and care taken, that the company be prevented from experiencing the like exigencies for the future." Two singular circumstances deserve to be mentioned, which took place at this time. By some papers which had passed between the English and French ministers during the agreement on the late peace, it appeared that our government allowed, that the East India Company had an exclusive right to the territories it possessed, in whatever manner they might have been acquired. The following extract, from one of these papers, is very remarkable: "Respecting those territorial acquisitions the English East India Company have made in Asia, every dispute relative thereto must be settled by that company itself, the crown of England having no right to interfere in what is allowed to be the legal and exclusive property of a body corporate belonging to the English nation." Let us contrast to this the assertion of the minister, made after reading the above petition from the company: he maintained that the state had a prior right to the territorial possessions of the company; and that it was the opinion of several great lawyers, that "such territorial possessions as the subjects of any state shall acquire by conquest, are virtually the property of the state, and not of those individuals

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"who acquire them." This latter assertion excited much disapprobation. It is a palpable contradiction of the former, and not easily reconcilable with the commercial interells of a free people. Why was one opinion delivered to France, and it's opposite, in every respect, now attempted to be obtruded on England?

Although the statement of the company's affairs, as given in the second report of the secret committee, had very little weight with the friends of the company, yet upon it the two following motions were founded, and passed without a division, "That supposing the public should advance a loan to the East India Company, it is the opinion of this committee, that the dividend should be restrained to six per cent. until the payment of the sum advanced:" and "that the company be allowed to divide no more than seven per cent. until their bond debt be reduced to 1,500,000l." These measures were judged expedient by the ministry, as every creditor has the power to make such agreement with the borrower, as he judges necessary for his interest and security; and as the state of the company's affairs was such as required an attention to the security of the public in lending, as well as the interest of the company in borrowing the sum requested. The company replied, that these restrictions were contrary to the proposals they had made, and ill-founded, inasmuch as they were founded on the erroneous reports of the secret committee: the company had joined in a formal act, and of that the parliament could not reject one part and accept of the other, or introduce a third, without an infringement on the charter-rights of the company. The chairman of the company declared, at a general court, that the government had agreed,

agreed, or would agree, to the proposed increase of dividend, before the participation of profits took place between government and the company. The first Lord of the Treasury had told him so, and now wished to deny what he had said, by his having used these expressions in private conversation; and when he did not consider the chairman as acting officially. If so, to what purpose do public men hold conversations, since they are afterwards to deny or forget what had passed, and amuse the companies to which they belong with misrepresentations and vain promises?—They further demanded some time to consider of these motions; but that being denied, the question was put, and carried as the ministry wished. From the success, indeed, of administration hitherto, the right of territorial possession seemed clearly to be about to fall into the hands of government; the language of a motion made in the beginning of April shews, that if government did not possess themselves of this right, it was not so much from want of power or inclination, as from some reasons of policy which regulated both. Lord North moved, “That it is the opinion of this house, that it will be more beneficial to the public, and the East India Company, to LET the territorial acquisitions remain in the possession of the company for a limited time, not exceeding the term of six years, to commence from the agreement between the public and the company.” It was moved, at the same time, “That no participation of profits shall take place between the public and the company, until after the re-payment of 1,400,000*l.* advanced to the company, and the reduction of the company’s bond debt to 1,500,000*l.*”—“That after the payment of the loan advanced to the com-

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“pany,

"pany, and the reduction of their bond debts to
"the sum specified, three-fourths of the nett sur-
"plus profits of the company at home, above the
"sum of eight per cent. upon their capital stock,
"shall be paid into the Exchequer, for the use
"of the public; and the remaining one-fourth
"shall be set apart, either for reducing the com-
"pany's bond debt, or for composing a fund for
"the discharge of any contingent exigencies the
"company may labour under."—Besides the ar-
guments used in the house against the absurdity
of pretence to a right without any legal decision,
nor so much as a motion of the house to bring on
a legal decision, the company presented a petition
against the above motions, in which they com-
plained of injustice in demanding any farther
terms, on account of the loan requested, after
that loan was discharged. The limitation, argued
they, of the company's dividend to seven per
cent. after the discharge of the said loan, until
their bond debt shall be reduced to 1,500,000*l*,
appears not to be founded upon any just calcu-
lation of the company's commercial profits; nor
can it, with reason, be alledged, that it is neces-
sary either to their credit, or that of the public,
that they should be so restrained; as the additional
dividend of one per cent. contained in the com-
pany's propositions, though an object of consi-
derable consequence to the proprietors, could be
no material delay to the reduction of their bond
debt. The hardship of this limitation is ex-
ceedingly aggravated, by a consideration of the
great losses which the proprietors have sustained,
and the expences they have incurred in acquiring
and securing the territorial revenues in India, at
the risk of their whole capital, while the public
have reaped such great advantages; more espe-
cially

cially as they have received repeated assurances from their late chairman, that the intentions of the Chancellor of the Exchequer were totally different in this respect.—The resolutions limiting the company to a term not exceeding six years, for the possession of their territories in India, appears to be altogether *arbitrary*; as it may be construed into a conclusive decision against the company, respecting those territorial possessions to which they insist that they have an undoubted right. The company cannot acquiesce in the resolutions, whereby three-fourths of the surplus nett profits of the company at home, above the sum of eight per cent. per annum upon their capital stock, should be paid into the Exchequer, for the use of the public; and the remaining be applied either in further reducing the company's bond debt, or for composing a fund, to be set apart for the use of the company, in case of extraordinary emergencies; such disposal of their property, otherwise than by their own consent, by a general description, comprehending their trade as well as their revenues, does not appear warranted, even by the largest pretensions that have ever been formed against them. When the company offered a participation in a different proportion of the said surplus, it was in the full assurance that they might freely enjoy the remainder.

They represented, likewise, that the limitation prescribed by the said resolution, respecting the application of the one-fourth part allotted them in such participation, after payment of all their simple contract debts, and after reducing their bond debt to the point of credit which the house has fixed, was subversive of all their rights and privileges, by denying the disposal of their own

property, after all their creditors should be fully secured according to law. Rather, added the petitioners, than submit to such conditions, (as proceeding from our own consent, expressed or implied,) we desire that any claims against the possessions of the company, that can be supposed to give rise to such restrictions, may receive a legal decision; from which, whatever may be the event, we will, at least, have the satisfaction of knowing what we can call our own.—The motions, however, were carried, although ministry had great difficulty in procuring credit for the sympathetic concern they felt for the welfare of the company; and which led them so far as to propose, and carry into an agreement, that as the company had a stock of teas amounting to about 17,000,000 of pounds in their warehouses, they should be allowed to export as much of it as they judged proper, free of duty, and employ the money in the reduction of their affairs to a better state. That they might shew, however, at the same time that they did not depart from their long-conceived intentions towards the East India company, the following resolutions were, on May the 3d, moved by the minister, and made the foundation of a bill “for establishing certain regulations for the better management of the East India Company, as well in India as in Europe.” 1st. That the court of directors should in future be elected for four years, six members annually; but none to hold their seats longer than four years. 2d. That no person should vote at the election of the directors, who had not possessed their stock twelve months. 3d. That the stock of qualification should, instead of 500l. be 1000l. 4th. That the mayor’s court of Calcutta should, for the future, be confined to small mercantile causes;

causes; to which only it's jurisdiction extended before the territorial acquisition. 5th. That in lieu of this court, thus taken away, a new one be established, consisting of a chief justice and three puisne judges. 6th. That these judges be appointed by the crown. 7th. That a superiority be given to the presidency of Bengal, over the other presidencies in India.

Lord North, who introduced these propositions, made remarks in justification of each. In support of the first, he said, that as the company stood at present, the directors were so shocked by the shortness of their term, that if they were willing to come into any permanent plan, they could not see it carried into execution, from the attention they were obliged to give to caballing for their election. In regard to the second proposition, he thought the term of six months too short for a qualification to vote, as it did not preclude temporary purchases of stock, merely for the purposes of voting. Five hundred pounds he deemed too small a pittance of fortune for a man entitled to vote for a director; and as for the mayor of Calcutta's court, he only meant to confine it's jurisdiction to the original bounds. A court made up of merchants and traders was evidently inadequate to the great purposes for which such a court was necessary; but the appointment of a new judicature would remedy this defect, and derive additional dignity from it's judges being nominated by the King. The superiority that he meant to one presidency over the rest, his Lordship said, concerned only general affairs, not those of internal regulation: a measure particularly requisite to prevent such glaring absurdities as had lately been heard of; as one presidency going to war with a country power at the very time that

another was concluding a peace with the same power. His Lordship concluded his speech with observing, that it would be necessary to oblige the company to impart all advices from Bengal immediately to the treasury, or to the secretaries of state, in order that the public might not remain strangers to the situation of matters in that country.

Each of these resolutions were passed by great majorities. The salaries of the judges were fixed at 6000*l.* each, and that of the chief justice at 8000*l.* per annum. The governor of the council was to have 25,000*l.* annually, and the members of the council 10,000*l.* each. Notwithstanding, however, the number of votes in favour of these resolutions, and the bill founded upon them, the powers of opposition were uninterruptedly exerted to prevent them from passing, and counsel were heard on the part of the 500*l.* stockholders. From the arguments of the counsel, the petitions of the company, and what passed in the house, the following appeared to be the sense of the friends of the East India Company.

This bill is calculated to effect a total alteration in the constitution of the company in England, and the administration of its presidencies in Asia, in order to subject all their affairs, both at home and abroad, to the immediate power of the crown. There has been no delinquency charged, nor any specific ground of forfeiture assigned; yet if this bill passes into a law, above 1200 freemen of the company will be disfranchised, and deprived of any voice in the management of their property. The directors are to be taken from under the controul of their constituents, and to be continued for four years, instead of being elected annually, according to the terms of the charter. By cutting
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off the 500l. stockholders, the proprietary will be rendered more manageable for the purposes of ministry; and where is our security that the directors will be faithful to the interests of the company, when they are no longer responsible to them for their actions? By the establishment of a general presidency over all the affairs of the company, and by the nomination of judges for India, government will in effect transfer the whole management of the affairs to the crown, and the company will have no farther share in the business, than in being obliged to pay what salaries the crown thinks fit to appoint to servants set, rather over, than under them, and in the approbation or disapprobation of whom they are to have no part.

The proprietors possessed of 500l. stock represented in their petition, that by King William's charter granted to the company, and since repeatedly confirmed, in consideration of many large sums of money lent and advanced by the said company to the public, they are legally possessed of a right of voting at the election of directors, the making of bye-laws, or in any other matter relating to the affairs and government of the said company; but by a clause in this regulating bill, as it was called, they are deprived of this right, and that under a pretence that this measure will prevent the pernicious practice of splitting stock by collusive transfers. But so far have the proprietors been ever anxious to obviate such practices, that in the year 1767 they petitioned parliament for an act, by which the several proprietors entitled to vote should be obliged to hold this qualification at least six months before the exercise of their right; and rather than that this act should not answer it's end, they lately agreed, at a general court, to make a second application to parliament,

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in consequence of which the time prescribed should be extended to twelve months. But this proposed increase of the qualification of the voters cannot in any degree contribute to the end desired; for the splitting of stock being confined to such proprietors as hold large quantities, they will find it an easy matter to place their stock in the hands of half the number of persons, and extend their influence in a great and undue proportion; and if ever government conceive designs against this company, they will find less difficulty in carrying them into execution while the proprietors are few and opulent, than when they are many, independent, and of moderate fortunes.— In order to support these arguments, it was moved, "That it does not appear to this house, that the proprietors of 500*l.* stock, in the united company of merchants of England trading to the East Indies, have been guilty of any delinquency in the exercise of their charter rights, according to the several acts of parliament made in their behalf." This motion produced warm altercation, but was rejected by an hundred and twenty-three against forty-three; and at length the regulating bill, after having engrossed the attention of the House of Commons for upwards of a month, was passed by a majority of more than six to one; an hundred and thirty-one being for it, and only twenty-one against it. The last reading was on the 10th of June; when, after many elaborate speeches, Lord North closed the debate with a few remarks in vindication of his own conduct, and that of administration, in the whole business; and declared, that nothing but a heartfelt sense of the importance, dignity, and credit of the East India Company, would ever have inclined ministry to act as they had done.

In the House of Lords this bill passed with similar success. The members were, on the third reading, (proxies included,) seventy-four to seventeen only. A petition from the company was read, and counsel admitted in this house, with no better effect than in the House of Commons. The Duke of Richmond took a very active part in defence of the company's right, and moved for a conference with the Commons on the present bill; but his motion was rejected by a majority of thirty-nine to twelve. He next moved for a communication on the reports of the several committees, and copies of all the papers which had been laid before the House of Commons, relative to the affairs of the company; but this, too, was ineffectual. His Grace joined six more members of the house in a protest against this refusal of necessary information; and another protest was entered against the regulating bill, signed by thirteen lords. As the House of Peers, in consequence of their difference with the House of Commons, remained at this time shut, we can learn the arguments against this bill only from their protest, and may suppose that the reasoning on the support of it was the same with that made use of in the lower house. The protest is long, and written with elegance and spirit, and the arguments enforced by some circumstances that render an extract from it necessary.—“The preamble to this bill, stating defects in the powers of the East India Company, abuses in its administration, and injuries to public and commercial credit, ought to have been supported by evidence adapted to the nature of the several matters alleged. But the production of charters has been refused by the house; no witnesses have been called to ascertain the existence or quality of the
supposed

supposed abuses, no enquiry has been made into the condition of public credit, and no state of the company's commercial affairs has ever been laid before us. If the defects in the charters, and abuses in the administration of the company, exist in the manner stated in the preamble, no effectual provision is made in the enacting part of the bill for supplying the one, or reforming the other; on the contrary, the utmost distraction is introduced into the whole economy of their affairs. The nomination to the subordinate presidencies and inferior offices in India, is left to the company; but a superior presidency is appointed by parliament to govern those inferior offices. The superior presidency is to receive orders from the court of directors, but it is left to the private will of the King how far these orders shall be obeyed. The presidency is appointed to make ordinances and regulations, but neither directors or company are to determine on their validity; the King alone is to allow or disallow those acts, as he shall chuse to signify his pleasure under his sign manual. This mode of vesting ultimately the whole management of the company's weighty political affairs, their vast revenues, and their extensive commerce, in the King's private direction, without any provision in the bill for the intervention of any public body, (either the East India Company, or the privy council,) or any responsible public minister, is not only an high and dangerous violation of the yet unquestioned characters of the company, but a total subversion of all the principles of the law and constitution of this kingdom. — The election of executive offices in parliament is plainly unconstitutional, and an example of the most pernicious kind; productive of intrigue and faction, and calculated for extending a corrupt influence

influence to the crown. It frees ministers from responsibility, while it leaves them all the effect of patronage; it defeats the wise design of the constitution, which placed the nomination of all officers, either immediately or derivatively, in the crown, whilst it committed the check upon improper nominations to parliament. But this bill, by confounding these powers which the constitution meant to keep separate, has destroyed this controul, along with every wise provision of the laws to prevent the abuses in the nomination to or exercise of office. The violation of the charter is not justified by the importance of the provisions of this bill, which operates only to transfer patronage without conferring new powers; it being expressly provided by the bill, that these powers should be the same as were formerly exercised by the company's servants, under the company's authority; neither is any advantage gained with regard to the particular officers named in this bill, the person first in rank and importance in the new parliamentary presidency, being the very same now at the head of the company's presidency at Bengal. The appointing judges by the nomination of the crown, with large salaries payable out of the company's revenue, without the company's consent, either to the appointment or to the payment, is an act of flagrant injustice, and an outrage on all the rights of property. No necessity can be pleaded in favour of this violence, as the company did last year voluntarily propose a nomination of judges, with far better provisions for securing a proper appointment than any contained in this bill.—The clause of this bill, which deprives of all share in the management of their own property all proprietors not possessed of 1000*l.* capital stock, disfranchising, without the

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assignment of any delinquency or abuse, no less than 1246 persons legally qualified, is a heinous act of injustice, oppression, and absurdity, and a gross perversion of the high powers entrusted to legislature. The part of the charter which regulates the right of voting, was made to establish, exclusively, that class of voters which this act has destroyed: the charter knows of no right of voting but the possession of 500l. capital stock. It excludes all title of superior influence from superior property. The several laws to prevent the splitting of stock are all in affirmance of this principle, and made to secure this voter; but by a system of contradiction that, except in this bill, has no example; the very grievance of splitting of stock, by which the proprietor under 1000l. has been injured, is assigned as the sole ground for depriving him of his franchise. This lower proprietor could not possibly have been guilty of this offence, and yet he is punished, and the large stockholder, who alone could be guilty of the splitting, is indulged with new privileges, in contradiction to the spirit of that charter which he is supposed to have violated.—The great principle upon which the bill has been supported, will not only in this, but in all cases, justify every infringement of the national faith, and render a parliamentary sanction the worst of all securities. We never can admit, that a mere speculation of political improvement can justify parliament in taking away rights which it expressly covenanted to preserve, especially when it has received a valuable consideration for the franchises so stipulated. Nor are grants of parliament, under these circumstances, to be considered as gratuitous, resumable merely at the pleasure of the giver, but matters of binding contract, forfeitable only

only on such delinquency or necessity as is implied in the nature of every other bargain. With such matters before us, that require the best, we are denied all manner of information. A bill, the object of which has taken the Commons near eight months to consider, is precipitated through the House of Lords in little more than eight days, without any attention to parliamentary usage or decorum; as if the Lords were the lowest of ministerial tools, who are not to be indulged even with an appearance of discussion, concerning the mandates they receive. In this situation we feel the honour of the peerage tarnished, and its dignity degraded. If the provisions and precedent of this bill should render the public faith of Great Britain of no estimation, the franchises, rights, and properties of Englishmen precarious, and the peerage distinguishable only by a more than common measure of indolence and servility; if the boundless fund of corruption furnished by this bill to the servants of the crown, should efface every idea of honour, public spirit, and independence, from every rank of people, after struggling vainly against these evils, we have nothing left but the satisfaction of recording our names to posterity, as those who resisted the whole of this iniquitous system, and as men who had no share in betraying to blind prejudices, or sordid interest, every thing that has hitherto been held sacred in this country."—Among the names signed to this protest, are those of Richmond, Devonshire, Portland, and Rockingham.

In the mean time, the enquiries by the select and secret committees continued to be made. The affairs of the company were traced from the year 1756; and many officers, both civil and military, underwent examinations relative to them. General

ral Burgoyne, chairman to the select committee, presented a report, replete with charges of cruelty and rapacity in the conduct of many gentlemen concerned in those affairs; particularly, the chairman said, he looked upon the deposing Surajah Dowlah, and bringing about a revolution in favour of Meer Jaffer, in 1756, to be the origin of all the subsequent evils which have operated to the temporary distress, if not total destruction, of the company. He enlarged upon the perfidy used in bringing about that revolution; and stated the fictitious treaty, forged in order to elude the payment of the stipend promised to Omichund, (a black merchant, and confidant of Surajah Dowlah, whom Lord Clive, and the select committee in India, prevailed upon to join in a scheme to dethrone his master). He exposed the conduct of Lord Clive, in causing Admiral Watson's name to be signed to this treaty, contrary to the Admiral's express inclination. He concluded with moving for restitution of such money as had been received in presents, or otherwise, in India, while the receivers acted in a public capacity; and stated the following resolutions, "That all acquisitions made under the influence of a military force, or by treaty with foreign powers, do of right belong to the state. That to appropriate acquisitions acquired under the influence of a military force, or by treaty with foreign powers, to a private use, is illegal. That great sums of money have been obtained by such means from the sovereign princes in India." The General was ably supported in the defence of these resolutions, and they were carried almost unanimously; so great was the indignation which the discovery of this scene of villainy and avarice had occasioned. In any other case, it is probable, resolutions of this tendency would

would not have been approved of, as they serve, in some measure, to establish a very bad precedent; but the infamous conduct of many of the company's servants weighed more in favour of present punishment, than of arguments for future severity. Lord Clive made a very weak defence; and, by omitting any mention of the principal allegations, and confining himself to a trifling charge of the concealment of some correspondence, and by general declarations of innocence, conscious to no breast but his own, he rivetted those impressions in the minds of his hearers, which he wished to efface from them. Many sophistical refinements on the nature of a *present* were offered, but in vain. Colonel Barre, in a speech pregnant with good sense and poignant satire, endeavoured to settle the disputes relative to *presents* logically.—“If,” said the Colonel, “they are taken without consent, they are *plunder*; when taken with consent, they are *gifts*; and when taken by connivance, they are *inland trade*. There was a governor of Gibraltar, who, with his secretary, knew how to take presents. A body of Jews came, according to custom, to make their annual donations; but bringing only one thousand shekins, the governor declared that the Jews should not have audience, “as they were sprung from “ancestors who crucified our Lord Jesus Christ.” The Jews went back disconsolate, and brought *two* thousand shekins: they were admitted; “for,” said the governor, “poor men! they had no hand “in the crucifixion.”

Lord Clive, however, gained considerable credit from many members, for his assertions, when afterwards he entered more fully into a refutation of the charges brought against him. Many considered him as loaded with abuse, treated with

acrimony, and tried rather as a sheep-stealer, than a member of the British senate. We observed before, that the select committee never had entirely given satisfaction; and the doubts of its partiality, formerly thrown out, were now revived in such a manner, as to render it a very difficult matter for a member to know which side to take. But lately the house would admit no evidence founded on the reports of the committees; and now they are about to admit criminality, and punish offences, on the evidence of these reports. The friends of Lord Clive were by no means of opinion, that the charges were of an atrocious nature; and wished, at least, to substitute the terms "policy," "critical necessity," and "the urgent occasion of the moment," for "criminality;" and, farther, admitting that the evidence of these facts was to be reckoned valid, they were not crimes of that nature which deserved parliamentary censure. The occasion justified the expedient, and pronounced it a proof of extensive discernment and sagacity. In the circumstances in which Lord Clive then stood, the treaty with Omichund, although deceptive, was justified as well as suggested by necessity. Some said, more wittily than agreeably to their audience, that as Omichund had the character of being the most accomplished villain in all Asia, an Englishman wished only to have a trial of skill with him.—But most weighty objections arose, from the revival of the former complaints, against the mode of enquiry by select committee. General Burgoyne attempted another motion, "That Lord Clive, in consequence
" of the powers vested in him in India, had re-
" ceived, at various times, presents of several lacks
" of rupees, amounting to the sum of two hun-
" dred and thirty-four thousand pounds sterling,

"to the dishonour and detriment of the state." After many debates, this was rejected, and another put into it's place, "That Lord Clive did, in "so doing, abuse the power with which he was "entrusted, to the evil example of the servants of "the public," met with a like fate. At length, near four o'clock in the morning, a motion was made, "That Lord Clive did, at the same time, "render great and meritorious services to this "country." This was carried without a division, and finished the business of enquiry into his Lordship's conduct. The matter would have undoubtedly ended in a very different manner, had the nature of the evidence been approved of by the house. Thus the affairs of the East India Company were delivered into the hands of government; who declared, on the last day of the debates, that the welfare of the company was their sole object, in bringing about this extraordinary revolution.

The session ended on July 1st. His Majesty assured the houses, that he had observed, with much satisfaction, the zeal, assiduity, and perseverance, with which they had applied themselves to the important business recommended at the meeting of parliament. He mentioned, with concern, the continuance of the war between Russia and the Porte, with both which England was closely connected in friendship, although under no engagement to either. Promise was made to persevere in earnest endeavours to preserve the general tranquillity of Europe. Thanks were returned for the supplies, and the effectual relief and support granted to the East India Company. The speech concluded with his Majesty's observing, that he had no other objects but the welfare of his people, and no other views but to employ the power with

which he is intrusted, in maintaining the credit, reputation, and prosperity of the kingdom.

During the recess of parliament, a general stillness seemed to prevail in domestic matters. The people had presented a petition in March, praying for the dissolution of the present parliament; but as that was rejected peremptorily, they resolved to wait patiently till the event should take place in the course of time. Their attention to the affairs of the East India Company had not been remitted long, before it was directed to a matter of still greater national importance; although, perhaps, at this time, few could foresee the many miseries that impended over a devoted country. The history of parliament has hitherto been the history of England, but it will occupy but an inferior part hereafter. That dissatisfaction which we mentioned to have been created in America, some years ago, and which never had been ended entirely, now appeared afresh, and continued from this time to increase in magnitude and importance.

When the rest of the taxes, which gave so much umbrage to the Americans, were taken off in 1770, the insignificant duty on the tea remained, and was the means of a most fatal dissention between England and her colonies. Ever since the first imposing of the obnoxious duties, the Americans had exerted a spirit of industry and œconomy, which, as it took its rise at this time in particular, was attributed to the wilfulness that attends discontent, rather than to necessity. Their dissatisfaction, however, was not solely to be imputed to the old grievances, or the clandestine importation of tea, which they found it not always in their power, by any prohibition, to prevent. The dependence of the governors and judges being transferred

transferred from the people to the crown, was the cause of perpetual discord between the heads of the assemblies and the people. They evidenced their displeasure by assembling in a body, and burning one of his Majesty's schooners, which had been stationed at Providence in Rhode-island, to prevent the smuggling, for which that place was remarkable; nor could any reward persuade the most inconsiderable of this combination to make a discovery of his accomplices. About the same time too, a number of confidential letters, which had passed between the governor and deputy governor of Massachusetts-bay, and some persons in power in England, by the accidental death of a gentleman, in whose hands they had been deposited, were divulged and published. When the reader is told that the tendency of these letters was to insinuate the necessity of coercive measures, from the temper and disposition of the people in that province, he will not wonder that they excited an undescribable commotion over the whole colonies. As the governor did not pretend to deny his hand-writing, the house of assembly passed a petition and remonstrance to his Majesty, charged the governor and deputy governor with betraying their trusts, with giving false information, and prayed that they might be punished, and removed from their places.

We have seen that the East India Company were possessed of a great quantity of tea, and that the minister procured an act by which they should be enabled to send it to what places they pleased, free of duties, in order to furnish money for their present exigencies. The company accordingly dispatched large quantities to the different colonies, and appointed certain persons in these co-

lonies as agents to dispose of the commodity. But their having departed from the accustomed practice of selling their tea to merchants and factors, was thought a very imprudent step, and in all probability very inefficacious, as to the purposes which they intended to serve by it; and it was urged, that the slow remittances which they would undoubtedly be distressed by, was inconsistent with the present demand for ready cash; but government having given it's sanction to the measure, all reasoning against it was without success. The colonies, however, had lost that deference for the will of administration which influenced the East India Company, and unanimously resolved to prevent the landing of the teas, whatever might be the consequence. They judged that it was the intention of government to throw a monopoly of this article entirely into the hands of the company's consignees; who happened to be persons, not only in the interest of administration, but many of them, particularly at Boston, were nearly related to the governor and deputy governor, whose correspondence had already given so much offence: even the clandestine importers of tea joined in the common uproar, finding themselves considerably hurt by a measure which would in the end be destructive to their trade. As a preparatory step, the consignees were compelled by solemn obligations to relinquish their appointments; power was given to committees to inspect merchants' books, and punish such as dared to disobey: they were likewise authorized to call the people together when necessary; a power which was followed by many inflammatory proceedings and regulations, the natural consequences of assemblies giving or assuming powers of their own accord,

accord, and without certain limits. Pilots were prohibited from the exercise of their profession; and Philadelphia, the seat of American philosophy, manners, and learning, distinguished itself by a determined avowal of opposition to the purposes of government. Ships, it was said, were sent out loaded with cargoes of poison and chains for the whole continent, and the same indignation was excited by these metaphorical expressions, as could possibly have been by the things signified. At Boston the manual operations of the offended colonists first began. Three ships laden with tea had arrived in the port; and from the shuffling manner in which they were treated both by the consignees, the custom-house, and the governor, who together would neither allow them to stay or depart, the inhabitants conceived it probable that a design was in agitation to land the tea privately. Convinced that, if this were effected, the teas would be disposed of contrary to their inclinations and interest, a number of armed men, disguised, boarded the ships, and in a few hours, without the least molestation from any power, civil or military, threw the whole cargoes overboard, and returned peaceably, not offering any molestation, or meeting with any resistance from the crews of the ships. This happened in December, 1773. The example was followed in other places, in the case of some small quantities, particularly in South Carolina. At New York it was landed under the cannon of a man of war, but the government found themselves obliged to lock it up from use. Finding the scheme of selling off the teas in this manner abortive, the commissioners returned to England; unwilling to lie under probable personal danger, and certain hazard of losing all their commodities.

None of these transactions were noticed in the speech, on opening the parliament, January 13th. The same regret on account of the differences on the continent of Europe, and the same assurances of endeavours to promote general tranquillity, were repeated, as had been done last year. The principal object recommended to the attention of the house, was the state of the gold coin. His Majesty observed, that the degree of diminution which the coin had actually suffered, and the very rapid progress which the mischief was daily making, was truly alarming. Much satisfaction was expressed, that the evil had been in a great measure checked by the regulations made in the last session. A selection of the most important parts of the public service was recommended for immediate deliberation. No particular supply was demanded, his Majesty leaving it to the Commons to grant such as might be found requisite.

As had been recommended, the gold coin was the first subject of enquiry. The act passed last sessions, by which the loss on the diminished gold falls upon private persons, had raised no little murmuring among money-holders and bankers. No person denied the expediency of some means for putting a stop to the frauds of coiners; but the means proposed by that act were thought highly oppressive to individuals, at a time when commerce and manufactures were much disturbed from other causes; the precipitation with which the act was hurried through both houses, was likewise objected to. The minister endeavoured to defend the measure, arguing from the necessity of putting a stop to fraudulent diminution of the coin; and alledging, that delaying the matter till another session would be attended with the most

most pernicious consequences. As to the bankers, he thought the loss had fallen upon those who were most able to bear it, since they had always been the greatest gainers by the public money; and thus the matter ended for a time.—Twenty thousand seamen were moved for, and the motion carried without a division. Something prophetic appears in the continuing an expensive peace establishment; but some of the members, not foreseeing how speedily the prophecy was to be fulfilled, made many objections to the present increase, as well as to that want of œconomy which was obvious in the disposal of the public money. It must be confessed, that the House of Commons was at this time less attentive to the motions for supply, than is consistent with the importance of public grants; they granted the sums asked without ever making any enquiry into the expediency, or demanding any account of the expenditure. The expedition against the Caribbs was again reprehended, as a flagrant instance of injustice and profusion. The necessity of œconomy the minister pretended not to deny, and expressed his wish to lessen the burdens of the people; but maintained, that any attempt to do so must ever depend upon particular circumstances. The necessity for those sums, which had been granted to the navy, was offered as an answer to whatever objections might be made. When the navy estimate was moved, the minister kept a profound silence, and continued to keep it till the gentlemen in opposition had exhausted their whole fund of objections against his conduct in this affair.—A motion for shortening the duration of parliament was rejected by a great majority; as was another relative to the Middlesex election. These were subjects which administration were determined not

to give a willing ear to; and their influence was now so great, that the opposition dared not to build high expectations upon any motion which thwarted the inclinations of ministry.

Venality, in the case of parliamentary elections, had been not a little suppressed by Mr. Grenville's late act for the trial of controverted elections. The people looked on it as a safeguard for their liberties and rights; and it appeared from the evidence of some gentlemen of the law, that, since the commencement of it, not a single point had appeared on the subject in any of the law courts. Every thing, however, had not yet been done for the security of this act; it was necessary that it should be rendered perpetual, and a motion for this purpose was brought in about the end of February. The minister strongly opposed it, maintaining, that as the bill had been only passed by way of experiment, it's merit would be decided upon with more propriety at the ensuing general election; when perhaps many inconveniences might encumber it, unforeseen at present by it's supporters; and that in the mean time it was obvious, that, according to the principles of this bill, the house was deprived of it's dernier right of determination upon elections. His Lordship was deserted in this cause by so many, who dreaded to shew themselves upon the hustings if they should oppose the bill, that, when a division was called for, the members were two hundred and fifty in support of the bill, to an hundred and twenty-two who opposed it. The bill was afterwards carried with facility through both houses, and received the royal assent soon after.

About this time, dispatches from America announced the very disagreeable state of matters in that quarter. By a message from his Majesty, the
houses

houses were informed, " that in consequence of
 " the unwarrantable practices carried on in North
 " America, and particularly of the violent and
 " outrageous proceedings at the town and port of
 " Boston, with a view of obstructing the com-
 " merce of this kingdom, and upon grounds and
 " pretences immediately subversive of it's consti-
 " tution, it was thought fit to lay the whole mat-
 " ter before the parliament; fully confiding as
 " well in their zeal for the maintenance of his
 " Majesty's authority, as in their attachment to
 " the common interest and welfare of all his do-
 " minions, that they will not only enable him ef-
 " fectually to take such measures as may be most
 " likely to put an immediate stop to these disor-
 " ders, but will also take into their most serious
 " consideration, what further regulations and per-
 " manent provisions may be necessary to be esta-
 " blished, for better securing the execution of the
 " laws, and the just dependence of the colonies up-
 " on the crown and parliament of Great Britain."

After delivering the message, Lord North laid before the house upwards of one hundred papers, containing accounts of the transactions in America; from which it appeared, that not only in the province of Massachusetts-bay, but over the whole colonies, a similar spirit of sedition prevailed. His Lordship entered at great length on the subjects of these papers, and represented the conduct of the inhabitants of Boston in a most atrocious light; that the utmost clemency, perhaps too much, had been shewn on the side of the civil power; and that this town, by wantonly destroying the property of the East India Company, without even the pretence of necessity, left government perfectly justifiable in any measures they should think convenient for redressing the wrong, and inflicting

inflicting such punishment on this factious town, as crimes of a nature so pernicious called for. Without the aid of parliament, his Lordship did not imagine that such purposes could be answered, as the common and legal acts by the civil power, on the spot, were accounted infringements on liberty. Other ministers urged similar reasons for a speedy and resolute vindication of the dignity of the crown, against the attacks, daringly made, and insolently boasted of. Influenced by these remonstrances, the house for some time were unanimous; when the following motion divided their opinions in a considerable degree. It was moved, "To return thanks for the message, and the gracious communication of the American papers; with an assurance, that they would not fail to exert every means in their power, of effectually providing for objects so important to the general welfare, as maintaining the due execution of the laws, and securing the just dependence of the colonies upon the crown and parliament of Great Britain." The opposition made no objections to the promised means; they only expressed a fear, lest the performance turned out, in the end, as trifling as that engaged to in many late addresses to the throne. The ministry, nay, the house at large, had repeatedly, in answer to his Majesty's speeches, promised the defence of the dignity of the crown; instead of which, that dignity was becoming less and less every day, from their inactivity, and neglect of the true interest of the crown. The present case was of the utmost importance; but, in order to do the Americans justice, it was perhaps necessary to trace the source of these calamities to their origin, in a system of arbitrary and unwise measures at home. This the ministry did not expect, and were not provided

provided for; and, by the manner of expressing the sentiments of the house in the address, they effectually drew off the general attention from any retrospect on their conduct to the more important questions of the *independence* or *dependence* of America. As the general voice seemed to be for vigorous measures, Mr. Bollan, agent for the council of Massachuset's-bay, presented a petition, which was received, for permission to lay before the house an act of Queen Elizabeth and her successors, for the security of the planters, and the enjoyment of their liberties. While this petition lay upon the table, Lord North opened his plan for the restoration of peace and commerce in Massachuset's-bay. As Boston had been the town which began opposition to the authority of parliament, it was necessary, his Lordship observed, that an exemplary punishment should be inflicted on it in the first place; that the interest of commerce required it, and that it was a practice usual in similar cases; he proposed, therefore, "that the town of Boston should be obliged to pay for the tea which had been destroyed in their port; and that security should be given, that trade may be safely carried on, property protected, laws obeyed, and duties regularly paid." The first part of this proposal was supported by many precedents, where communities had been fined for outrages done by persons unknown; as for the second part, it could only be effected by depriving Boston of it's privileges as a port, until his Majesty should be satisfied with the restoration of peace and good behaviour in the town. It was necessary to shew the Americans in general, that we were in earnest. The people of Boston had drawn down the displeasure of the crown upon themselves; the extent of the punishment rested with

with themselves; for, after the payment of the debt now due to the East India Company, there was no doubt but that his Majesty would exercise his usual lenity, and receive favourably their first endeavours to regain his good-will. His Lordship concluded his speech with warm recommendations of unanimity, and the suppression of home animosities; and at length gave out the following purport of a bill, "For the immediate removal of the officers concerned in the collection of the customs, from the town of Boston, in the province of Massachusetts-bay, in North-America, and to discontinue the landing and discharging, lading and shipping of goods, wares, and merchandize, at the said town of Boston, or within the harbour thereof." Some wished that the measure proposed in this bill should be carried into execution only in case of the non-payment of the fine to indemnify the East India Company; but this was not attended to, and the bill met with great approbation. The members of opposition could not, on the first hearing, collect any strength that was able to cope with the general opinion, or any arguments, that were not overlooked in the general eagerness to inflict punishment on these disturbers of public tranquillity. A very singular circumstance, that happened previous to the third reading of the bill, determined the opposition to be more active in scanning the merits of this intended measure. Mr. Bolla, whose former petition had been received, now presented another, desiring to be heard for the council of Massachusetts-bay, and in behalf of the town of Boston. This the house refused, alledging, that the agent for the council was not agent for the corporation; and that, as the council was fluctuating, the body which had appointed him

him could not be then existing. But as Mr. Bolland's former petition had been admitted, it appeared very inconsistent to many of the members that he should now be refused, as he stood in the same character which he held then, and as at this very moment the House of Lords had his petition on their table. A petition followed from the Lord Mayor, in the name of the natives and inhabitants in North America then in London; in which it was complained, "that the house is now about to pass a bill, to punish with unexampled rigour the town of Boston, for a trespass committed by some persons unknown, on the property of the East India Company, without the said town's being apprized of an accusation brought against them, or having been permitted to hear the evidence, or make their defence. They conceived such proceedings to be directly repugnant to every principle of law and justice; and that, under such a precedent, no man, or body of men, in America, could enjoy a moment's security; for if judgment be immediately to follow an accusation against the people of America, supported even by persons notoriously at enmity with them; the accused, unacquainted with the charge, and, from the nature of their situation, utterly incapable of answering, and defending themselves, every fence against false accusation will be pulled down, justice will no longer be their shield, nor innocence an exemption from punishment." They farther said, that "the law in America is administered, in cases of injury, with as much impartiality as in any part of his Majesty's dominions; and that, while this continues to be the case, the interposition of parliament is dangerous and unprecedented. If the persons who committed the trespass are known, the East India Company have their

their remedy at law; if not, they cannot comprehend by what rule of justice the town can be punished for a civil injury committed by persons not known to belong to them. The cases brought as precedents are directly against it. In King Charles the Second's time, the city of London was fined when Dr. Lamb was killed by unknown persons; and the city of Edinburgh was fined, and otherwise punished for the affair of Captain Porteous: but in the first instance a murder was committed within the walls of London, in the open day; and even then the trial was public, in a court of common law, the party heard, and the law laid down by the judges was, that it was an offence at the common law to suffer such a crime to be committed in a walled town *tempore diurno*, and none of the offenders to be known or indicted. In the latter instance, that of Edinburgh, there was the commission of an atrocious murder within the gates, and aggravated by an overt act of high treason, in executing, against the express will of the crown, the King's laws. Both these cities had, by charter, the whole executive power within themselves; so that a failure of justice necessarily ensued from the connivance. Not so with Boston; it is not a walled town, the fact was not committed within it, nor is the executive power in their hands. The governor, if that power has been neglected, is answerable, as he is the only person who holds it. If it has been executed, perhaps at this instant, while punishment is inflicting here on those who have not been legally tried, the due course of law is operating there, to the discovery and prosecution of the real offenders." The petitioners ended with giving as their opinion, "that the attachment of America could not survive the justice of Britain." But the ministry,
convinced

convinced that without a vigorous interposition the Bostonians never would acknowledge their authority, refused these proposals for delay, especially as the trade of England could not exist a moment, unprotected by government. The arguments of opposition were now more powerfully directed against the bill for depriving the town of the use of it's port. They contended that the terms of the bill were indefinite; and, as they now were expressed, his Majesty had it in his power, if he pleased, that is, if his ministers pleased, for ever to shut up the port of Boston. By this means a precedent is furnished for subjecting other communities to the discretion of the crown. By this means a punishment is fixed, and none can tell where it may end, without the sanction of law, and without a hearing in justification of sentence. In the precedents brought, a fine had been imposed; but here there is not only a fine, but a prohibition of trade till it is paid; and the city is not to recover it's trade, till the King shall be convinced that the laws of trade and *revenue* are obeyed; but this revenue, and these taxes, have been so much the cause of dissention with America, that if this bill be passed, the whole continent will again be in a flame; and that, in all probability, too violent for any attempts which we may afterwards make to quench it.

It is remarkable, that, notwithstanding the violence of the debate which prevailed, as well in the House of Commons as in the House of Lords, this bill passed without a division in both. The gentlemen in opposition seemed either diffident of their numbers, and of their arguments, or negligent in a case when strong resistance, by preventing the bill, might have prevented the very mischiefs which they talked of as being probable, yet

did not seem to feel with much sensibility. Still the suspicion of tumult and confusion in our colonies occupied the minds even of some who voted for the bill; and who endeavoured, from the arguments of both parties, to form a mixed kind of principle, regard for the dignity of the crown, and the peace of the colonies. With this view, and to convince the Americans, that although England must ever be vindictive in defence of her honour, yet she was willing, at the same time, to shew some regard for mutual tranquillity, and with a parent's chastisement unite a parent's love, they proposed a repeal of the tea duty laid in 1767. The mode of reasoning against that duty, then adopted, was now revived, and strengthened by such facts, as made it appear that it had been well for England if these taxes had never been thought of. The repeal of some had quieted the clamour against them; and even the retention of the one in question did not excite much, if any disturbance, till the exportation of the teas belonging to the East India Company. But ministry had not forgotten how little they appeared in the eyes of the Americans upon the repeal of the stamp-act; nor had they changed the sentiments then conceived, that the repeal was untimely and pusillanimous; and unfortunately the majority of the house joined them in this, as well as in every endeavour to push matters to extremities with America. "If," said they, "we yield this point, what is it that our inconsistency of conduct will not embolden the Americans to demand; and if they demand independence at once, how can we refuse it? No, let us be merciful, but let us be manly: if we mingle not with our lenity a proper deference for our own honour, we will soon be too contemptible as a power;

a power; if we persist in uniformity of just conduct, we cannot but hope, we cannot doubt, that we will become in the end *victorious*." The thought was accordingly dropped.

But admitting a supposition, that the Boston port bill was carried into execution, and the fine paid, something appeared to the ministry still to be wanting to prevent the like abuses in future. The civil power in that province was obviously insufficient for the purpose; that civil power, consisting in the *Posse Comitatus*, as it is termed, were the very delinquents to be punished. Laws might be made, but, from a defect in the constitution, it was found impossible to enforce the observance of them. A bill was therefore brought in, "for better regulating government in Massachusetts-bay." By this bill it was meant to deprive the democratic part of the whole executive power, which they held by a charter from King William; and that the nomination of counsellors, judges, and magistrates of all kinds, including sheriffs, should be vested in the crown, and in some cases in his governor, and that all these officers should be removeable at the pleasure of the crown. In support of this bill the ministry urged strongly the necessity that there was for preventing the rest of the colonies from being tainted with the seditious example of the inhabitants of Massachusetts-bay. Nothing could be so effectual to this end, as a total alteration in the form of government, or rather no government, which subsisted in that province, where juries were improperly chosen, and where the civil magistrate had no dignity, and the executive power no strength. The sense of the minority will best appear from the following protest of the House

of Lords, which contains the most material arguments that could be offered against this bill.

" This bill, forming a principal part in a system of punishment and regulation, has been carried through the house without a due regard to those indispensable rules of public proceeding, without the observance of which no regulation can be prudently made, and no punishment justly inflicted. Before it can be pretended that those rights of the colony of Massachusetts-bay, in the election of counsellors, magistrates, and judges, and in the return of jurors, which they derive from their charter, could with propriety be taken away, the definite legal offence, by which a forfeiture of that charter is incurred, ought to have been clearly stated, and fully proved; notice of this adverse proceeding ought to have been given to the parties affected, and they ought to have been heard in their own defence. Such a principle of proceeding would have been inviolably observed in the courts below; it is not technical formality, but substantial justice. When, therefore, the *magnitude* of such a cause transfers it from the cognizance of the inferior courts, to the high judicature of parliament, the Lords are so far from being authorized to reject this equitable principle, that they are bound to an extraordinary and religious strictness in the observance of it. The subject ought to be indemnified by a more liberal and beneficial justice in parliament, for what he must inevitably suffer by being deprived of many of the *forms* which are wisely established in the courts of ordinary resort, for his protection against the dangerous promptitude of arbitrary discretion. The *necessity* alledged for this precipitate mode of judicial proceeding cannot exist. If the numerous
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land and marine forces, which are ordered to assemble in Massachusetts-bay, are not sufficient to keep that single colony in any tolerable state of order until the course of it's charter be fairly and equally tried, no regulation in this bill, or in any of those hitherto brought into the house, are sufficient for that purpose; and we conceive, that the mere celerity of a decision against the charter of that province, will not reconcile the minds of the people to that mode of government which is to be established upon it's ruins. We are not in a situation to determine how far the regulations, of which this bill is composed, agree or disagree with the circumstances of the people, and with the whole detail of their municipal institutions. Neither the charter of the colony, nor any account whatsoever of it's courts, and the judicial proceedings, their mode, or the exercise of their present powers, have been produced. The slightest evidence concerning any one of the many inconveniences, stated in the preamble of the bill to have arisen from the present constitution of the colony judicatures, has not been produced, or even attempted. On the same general allegations of a declamatory preamble, any other right, or all the rights of this or any other public body, may be taken away, and any visionary scheme of government substituted in their place. The appointment of all the members of the council, which by this bill is vested in the crown, is not a proper provision for preserving the equilibrium of the colony constitution. The power given to the crown of occasionally increasing or lessening the numbers of the council on the report of governors, and at the pleasure of ministers, must make these governors and ministers masters of every question in that assembly; and, by destroying it's freedom of deli-

beration, will wholly annihilate it's use. The intention avowed in this bill, of bringing the council to the platform of other colonies, is not likely to answer it's own end; as the colonies, where the council is named by the crown, are not at all better disposed to a submission to the practice of taxing for supply without their consent, than this of Massachusset's-bay. And no pretence of bringing it to the model of the English constitution can be supported, as none of the American councils have the least resemblance to the House of Peers; so that this new scheme of a council stands upon no sort of foundation which the proposers of it think proper to acknowledge. The new constitution of judicature provided by the bill is improper, and is incongruous with the plan of the administration of justice in Great Britain. All the judges are to be henceforth nominated, not by the crown, but by the governor; and all (except the judges of the superior court) are to be removeable at his pleasure, and expressly without the consent of that very council which has been nominated by the crown. The appointment of the sheriff is by the will of the governor only, and without requiring in the person appointed any local, or other qualification; that sheriff, a magistrate of great importance to the whole administration, and execution of all justice, civil and criminal, and who in England is not removeable even by the royal authority, during the continuance of the term of his office, is by this bill made changeable by the governor and council, as often, and for such purposes, as they shall think fit. The governor and council, thus entrusted with powers with which the British constitution has not trusted his Majesty and his privy council, have the means of returning such a jury, in each particular

particular cause, as may best suit with the gratification of their passions and interests; the lives, liberties, and properties of the subject are put into their hands without controul; and the invaluable right of trial by jury is turned into a snare for the people, who have hitherto looked upon it as their main security against the licentiousness of power. In this bill is the same scheme of strengthening the authority of the officers and ministers of state, at the expence of the rights and liberties of the subject, which was indicated by the inauspicious act for shutting up the port of Boston. By that act, which is immediately connected with this bill, the example was set of a large and important city, (containing vast multitudes of people, many of whom may be innocent, and all of whom are unheard,) by an arbitrary sentence deprived of the advantage of that port, upon which all their means of livelihood did immediately depend. This proscription is not made determinable on the payment of a fine for an offence, or a compensation for an injury; but is to continue until the ministers of the crown shall think fit to advise the King in council to revoke it. The legal condition of the subject (standing untainted by conviction, for treason or felony) ought never to depend upon the arbitrary will of any person whatsoever. This act, unexampled on the records of parliament, has been entered on the journals of the house as voted *nemine dissente*, and has been stated in the debate of this day, to have been sent to the colonies as passed without a division in either house, and therefore as conveying the uncontroverted universal sense of the nation. The despair of making effectual opposition to an unjust measure, has been construed into an approbation of it.—This bill, and other pro-

ceedings that accompany it, are intended for the support of that unadvised scheme of taxing the colonies, in a manner new, and unsuitable to their situation and constitutional circumstances. Parliament has asserted the authority of the legislature of this kingdom, supreme and unlimited, over all the members of the British empire; but the legal extent of this authority furnishes no argument in favour of an unwarrantable use of it. The sense of the nation on the repeal of the stamp-act was, that, in equity and sound policy, the taxation of the colonies, for the ordinary purposes of supply, ought to be forborne; and that this kingdom ought to satisfy itself with the advantage to be derived from a flourishing and increasing trade, and with the free grants of American assemblies; as being far more beneficial, far more easily obtained, less oppressive, and more likely to be lasting, than any revenue to be acquired by parliamentary taxes, accompanied by a total alienation of the affections of those who were to pay them. This principle of repeal was nothing more than a return to the ancient standing policy of this empire. The unhappy departure from it has led to that course of shifting and contradictory measures, which have since given rise to such continued distractions; by which unadvised plan new duties have been imposed in the very year after the others had been repealed; these new duties afterwards in part repealed, and in part continued, in contradiction to the principles upon which those repealed were given up: all which, with many weak, injudicious, and precipitate steps taken to enforce a compliance, have kept up that jealousy, which on the repeal of the stamp-act was subsiding, revived dangerous questions, and gradually estranged the affections of the colonies

lonies from the mother country, without any object of advantage to either. If the force proposed should have it's full effect, that effect, we greatly apprehend, may not continue longer than whilst the sword is held up. To render the colonies permanently advantageous, they must be satisfied with their condition: that satisfaction there is no chance of restoring, whatever measures may be pursued, except by recurring, in the whole, to the principles upon which the stamp-act was repealed." This protest was signed by eleven peers.

The minority contended likewise, that the form of trial by juries in this province was much better calculated than that used at home for the prevention of partiality; and that if a comparison was to be drawn betwixt this proceeding, and those in the reigns of Charles and James II. against the English and American corporations, such comparison would in every respect turn out more favourable for the latter than the former, however arbitrary we might be accustomed to term those reigns. Mr. Bollan attempted a second petition, but in vain; it was refused by a majority of three to one. The Americans in England presented another petition, which was allowed to lie upon the table, but produced no effect. The following extract from it will be read now with more attention. "Your petitioners intreat the house to consider what must be the consequence of sending troops, not really under the controul of the civil power, and unamenable to the law, among a people whom they have been industriously taught, by the incendiary arts of wicked men, to regard as deserving every species of insult and abuse. The insults and injuries of a lawless soldiery are such as no free people can long endure; and your
petitioners

petitioners apprehend, in the consequences of this bill, the horrid outrages of military oppression, followed by the desolation of civil commotions. The dispensing power which this bill intends to give to the governor, advanced as he is already above the law, and not liable to any impeachment from the people he may oppress, must constitute him an absolute tyrant. Your petitioners would be utterly unworthy of the English ancestry, which is their claim and pride, if they did not feel a virtuous indignation at the reproach of disaffection and rebellion, with which they have been cruelly aspersed. They can with confidence say, no imputation was ever less deserved. They appeal to the experience of a century, in which the glory, the honour, and the prosperity of England has been in their estimation their own; in which they have not only borne the burden of provincial wars, but have shared with this country in the dangers and expences of every national war. Their zeal for the service of the crown, and the defence of the general empire, has prompted them, whenever it was required, to vote supplies of men and money to the utmost exertion of their abilities. The journals of the house will bear witness to their extraordinary zeal and services during the last war, and that but a very short time before it was resolved to take from them the right of giving and granting their own money. If disturbances have happened in the colonies, they intreat of the house to consider the causes which have produced them, among a people hitherto remarkable for their loyalty to the crown, and affection for this kingdom. No history can shew, nor will human nature admit of an instance of general discontent, but from a general sense of oppression. They conceived, that when they

they had acquired property under all the restraints this country thought necessary to impose upon their commerce, trade, and manufactures, that property was sacred and secure; they felt a very material difference between being restrained in the acquisition of property, and holding it when acquired under those restraints, at the disposal of others. They understand subordination in the one, and slavery in the other; and wish they could possibly perceive any difference between the most abject slavery, and such entire subjection to a legislature, in the constitution of which they have not a single voice, nor the least influence, and in which no one is present in their behalf. They regard the giving their property by their own consent alone, as the unalienable right of the subject, and the last sacred bulwark of constitutional liberty; if they are wrong in this, they have been misled by the love of liberty, which is their dearest birth-right; by the most solemn statutes, and the resolves of the house itself, declaratory of the inherent right of the subject; by the authority of all great constitutional writers, and by the uninterrupted practice of Ireland and America, who have ever voted their own supplies to the crown; all which combine to prove, that the property of an English subject, being a freeman or a freeholder, cannot be taken from him but by his own consent. To deprive the colonies, therefore, of this right, is to reduce them to a state of vassalage, leaving them nothing they can call their own, nor capable of any acquisition, but for the benefit of others. It is with infinite and inexpressible concern, that they see in these bills, and in the principles of them, a direct tendency to reduce their countrymen to the dreadful alternative of being totally enslaved, or compelled into a contest,

test, the most shocking and unnatural, with a parent state, which has ever been the object of their veneration and their love. They intreat the house to consider, that the restraints, which examples of such severity and injustice impose, are ever attended with the most dangerous hatred. In a distress of mind which cannot be described, they conjure the house not to convert that zeal and affection, which have hitherto united every American hand and heart in the interest of England, into passions the most painful and pernicious: most earnestly they beseech the house not to attempt reducing them to a state of slavery, which the English principles of liberty they inherit from their mother country will render worse than death; and therefore humbly pray, that the house will not, by passing these bills, overwhelm them with affliction, and reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair."

After this bill had passed through both houses, by great majorities, the ministry found no difficulty in prosecuting their intentions to make America feel the effects of her disobedience, by a total subjection to the will of government. The next step was to bring in a bill "for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the laws, or for the suppression of riots and tumults in the province of Massachusetts-bay." By this bill, if any inquisition or indictment shall be found, or if any appeal shall be preferred against any person, for murder, or other capital offence, in the province of Massachusetts-bay, and it shall appear, by information given upon oath to the governor, or the lieutenant governor, that the fact was committed by the person against whom

whom such indictment shall be found, either in the execution of his duty as a magistrate, for the suppression of riots, or in the support of the laws of revenue, or in acting in his duty as an officer of revenue, or in acting under the direction and order of any magistrate, for the suppression of riots, or for the carrying into effect the laws of revenue, &c. and if it shall also appear, to the satisfaction of the governor, that an indifferent trial cannot be had within the province, it shall be lawful for the governor to direct, with the advice of the council, that such indictment shall be tried in some other of the colonies, or in Great Britain. The charges on both sides are to be borne out of the customs, and the act to continue for four years.

Lord North grounded the defence of this bill upon the impossibility of any magistracy to see their orders put into execution, as their exertions would be resisted by rioters, and their cause pleaded against by those who were professed enemies to their authority. Nor was necessity alone his Lordship's argument; this bill had precedents, particularly in the case of the rebellion in 1745, when the Scotch rebels were tried in England. He contended that the intention of this bill was most friendly towards the Americans, by establishing a proper civil government where there was none before; that it was a requisite appendix to the two former, and the only measure wanting to complete his plan of regulations. He concluded with informing the house, that four regiments had been ordered to Boston, and the command given to General Gage; and hoped that the blessings of peace would once more be restored.

The number of the minority bore no proportion to the strength of their arguments. They
denied

denied the tendency of the bill towards establishing impartiality; on the contrary, if the Americans condemn an officer as a murderer there, he will be here pronounced an active and spirited performer of his duty. Party spirit will operate on both sides. No abuse has been alledged as justifying this measure. In the case of Captain Preston there was no abuse; therefore the intention appears to be to establish a military government, for the protection of murderers. The expence attending a voyage of three thousand miles is trifling, when compared with the other inconveniences, in the case of any man who may think proper to prosecute the murderer of his friend. In the rebellion in Scotland, indeed, the prisoners were tried in England; but is there no difference betwixt the distance from Edinburgh to London, and that from Boston to London? Or is there any provision made for the delays that frequently retard a prosecution for years?—"Be-
"sides," said the Lords, in a very spirited protest against it, "this bill, after the proscription of the port of Boston, the disfranchisement of the colony of Massachusetts-bay, and the variety of provisions which have been made in this session for new-modelling the whole polity and judicature of this province, is an humiliating confession of the weakness and inefficacy of all the proceedings of parliament. By supposing that it may be impracticable, by any means that the public wisdom could devise, to obtain a fair trial there for any who act under government, the house is made virtually to acknowledge the British government to be universally odious to the whole province. By supposing the case, that such trial may be equally impracticable in every other province of America, parliament does in effect admit, that
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it's authority is, or probably may become hateful to all the colonies. This, we apprehend, is to publish to the world, in terms the most emphatical, the little confidence the supreme legislature reposes in the affection of so large and so important a part of the British empire. If parliament believed that any considerable number of the people in the colonies were willing to act in support of British government, it is evident that we might safely trust the persons so acting to their fellow-colonists for a fair trial for acts done in consequence of such support. The bill therefore amounts to a declaration, that the house knows no means of retaining the colonies in due obedience, but by an army rendered independent of the ordinary course of law, in the place where they are employed. A military force, sufficient for governing upon this plan, cannot be maintained without the inevitable ruin of the nation. This bill seems to be one of the many experiments towards an introduction of essential innovations into the government of this empire. The virtual indemnity provided by this bill for those who shall be indicted for murders committed under colour of office, can answer no other purpose. We consider that to be an indemnity which renders trial, and consequently punishment, impracticable; and trial is impracticable, when the very governor, under whose authority acts of violence may be committed, is impowered to send the instruments of that violence to three thousand miles distance from the scene of their offence, the reach of their prosecutor, and the local evidence which may tend to their conviction. The authority given by this bill to compel the transportation from America to Great Britain of any number of witnesses, at the pleasure of the parties prosecuting

cuting and prosecuted, without any regard to their age, sex, health, circumstances, business, or duties, seems to us so extravagant in it's principles, and so impracticable in it's execution, as to confirm us further in our opinion of the spirit which animates the whole system of the present American regulations."

This bill being passed, and the recess approaching, many members were about to retire into the country, when their attention was recalled to another bill, "for making more effectual provision for the government of the province of Quebec, in North America." The principal heads of this bill are, a repeal of the proclamation of 1763; a permission to the Romish clergy to exercise their religion, subject to the King's supremacy, as established by the first of Queen Elizabeth; they may enjoy and receive their accustomed dues and rights from persons professing the Romish religion; with a proviso that his Majesty shall not be disabled from making such provision for the support and maintenance of a protestant clergy as he shall think fit. All Canadian subjects, excepting religious orders and communities, are to hold all their properties as if the proclamation had not been made; and all controversies relating to property and civil rights, are to be determined by the legislature, consisting of persons resident there, not less than seventeen, nor more than twenty-three, to be appointed by his Majesty to make ordinances for the government of the province, with a prohibition from laying on taxes. Every such ordinance, however, is to be submitted to his Majesty's approbation or disapprobation; who likewise may erect any courts, civil, criminal, and ecclesiastical, within the province, whenever he shall judge necessary.

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This bill passed through the House of Lords, into which it was first introduced, with facility; but it excited a very warm debate in the House of Commons, insomuch as to oblige the ministry to drop that pride of superior influence with which they had carried every bill relating to America.

The principal objects of the bill, and the ascertaining the limits of the province, which greatly exceeded what had been settled by the proclamation of 1763, did not appear to be of that urgent nature, as not to allow time for more mature deliberation than had been used in passing the former bills. To some of the minority, the whole bill was liable to the greatest objections. Without a necessity pleaded, or even suggested, an arbitrary influence is extended by act of parliament to this province, furnishing a dangerous precedent, and an additional instance of the aversion which ministry bear to the rights of the people. If the present form of government in Quebec be exceptionable, why not establish a new one on the principles of the English constitution? It is not impracticable, nor inconsistent, when we reflect that the Roman catholics in Canada make part of a legislative council. Opposition argued, likewise, in favour of the mode of trial by juries; and thought that the establishment of the Roman catholic religion gave it a preference over the protestant, which now could be exercised only by toleration. Suspicions were likewise thrown out, that however peaceable the inhabitants of the province might be at present, they could not continue long without murmuring against any attempt to enslave them by an arbitrary military government. —In consequence of a few adopted alterations, the bill was in some degree amended, and met

with greater opposition from the House of Lords than when in the state in which they had passed it. In this, as well as in the House of Commons, however, the influence of the ministry prevailed, and the majorities, as in all former cases, were prodigious. "As the French were not willing to live under a government on the plan of the British constitution, it was the wish of ministry, by this bill, that they should have a form of government less liable to the mischiefs which popular representations had introduced into the other countries. It was unjust to persecute the people on account of their religion; and when the provision is made for the payment of tythes, the priesthood restored, and the settlements relative to landed property made on the plan of the French law, it was only rendering the province what it was found to be on the conquest. Many scattered beyond the limits specified in the proclamation, particularly an entire colony at the Illinois, were to be provided for."—The public were not satisfied with this bill; as far as it concerned religion, the popular clamour was raised to a greater height than any of the other bills had occasioned; and an ineffectual petition was presented to the King, previous to his assent, by the corporation of London, in which, among other objections, it is complained, that this bill was brought in at a time when most of the members were retired into the country, and carried through with too great precipitation.

With this decision the session ended on June 22d. His Majesty observed, that the very peculiar circumstances of embarrassment in which the province of Québec was involved, had rendered the proper adjustment and regulation of the government thereof a matter of no small difficulty; that

that the bill was founded on the clearest principles of justice and humanity, and would, his Majesty doubted not, have the best effects in quieting the minds, and promoting the happiness, of the subjects in Canada. That his Majesty had long seen, with concern, a dangerous spirit of resistance to his government, and to the execution of the laws, prevailing in the province of Massachusetts-bay, in New England. It proceeded, at length, to such an enormity, as to render the interposition of parliament indispensably necessary; that they had accordingly made provisions, as well for the suppression of the present disorders, as for the prevention of the like in future. The temper and firmness with which they had conducted themselves in this important business, and the general concurrence with which the resolution of maintaining the authority of the laws, in every part of the dominions, had been adopted and supported, could not fail of giving the greatest weight to the measures which had been the result of their deliberations.—Assurance was given, that nothing which depended on his Majesty should be wanting to render them effectual; and that it was his Majesty's most anxious desire to see his deluded subjects, in that part of the world, returning to a sense of their duty, acquiescing in that just subordination to the authority, and maintaining that due regard to the commercial interests of this country, which must ever be inseparably connected with their own real prosperity and advantage. Nothing material had happened since the meeting, with respect to the war between Russia and the Porte; and the friendly assurances which his Majesty continued to receive from the neighbouring powers, gave the strongest reason to believe, that they had the same good dis-

positions as his Majesty to preserve the tranquillity of the rest of Europe.

The joy which appeared on every countenance at the end of this session, was soon turned into sorrow; their most sanguine expectations of peace and subordination in the colonies, was followed by the bitterness of speedy and awful disappointment. About May, General Gage arrived in his government, but without that warmth of reception which marks the coming of a new governor. The Boston port bill, brought over in a ship from London, had alarmed the colonists in the highest degree; and from this moment affairs proceeded in a regular climax, till the sword was drawn, and all government and peace gave place to unspeakable confusion and distress. The first step taken was to call a meeting of the inhabitants, at which it was agreed to stop all sorts of trade with Great Britain, Ireland, and the West Indies, and to request that the other colonies would do the same; the only means now left in their power for procuring the restoration of liberty to America. Every mark of indignity was put upon the bill, copies of which were dispatched instantly to all parts, that the whole continent might as one man testify their abhorrence of a proceeding so tyrannical. The governor met the new assembly soon after his arrival, and, without laying any business of more than ordinary moment before them, informed them, that it was necessary they should remove to the town of Salem on the first of June, as enjoined by act of parliament. To prevent neglect of this order, which they aimed at, he adjourned the assembly to the 7th of June, after having rejected a petition for a day of prayer and fasting. The other colonies followed the example of Boston, in calling provincial meetings,
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on the same principles, and animated with the same spirit. In Virginia, the house of burgesses took upon them to appoint the 1st day of June, the day on which the much-hated bill was to be carried into execution, as a day of fasting, prayer, and humiliation; in which they were followed by almost every town. The assembly of Virginia, in consequence of this, was adjourned; a great body of their number issued proposals for an annual general congress, to consider of a regular mode of procedure in their distracted affairs. In their proposals, they were joined by a considerable number of the inhabitants of Philadelphia, who wrote to the Bostonians in terms of feeling for their distress, but earnestly recommended every possible attempt of the lenient kind, rather than to plunge at once into the horrors of civil war. Many thought it highly expedient to avoid carrying matters to unwarrantable lengths, and many objections of private and public interest weighed heavily against the intended scheme of shutting up all their ports: a scheme, indeed, by which Great Britain would be both injured and disappointed; but a scheme, at the same time, which would, if long persisted in, recoil on the heads of those who devised it. It cannot be supposed that the situation of General Gage was, at this period, very pleasing: an address from a few friends to government in Boston, was consolatory as far as words, and the promises of an inconsiderable number could prevail; but it was amply balanced by an address that immediately followed from the council, renewing the claims of the colonists, which they maintained were only the claims of Englishmen, and throwing the whole blame of the present dissensions on the conduct of his predecessors. The governor would not deign to hear

this address read to the end, but rejected it with contempt, as an insult to his Majesty, the privy council, and himself. The meeting of the representatives at Salem, according to adjournment, having now taken place, the proposals for a general meeting, or congress, were again taken into consideration. Five gentlemen were deputed to represent that province, and 500*l.* was voted for the use of the said committee, all which the governor refused to assent to; it was therefore necessary to raise the 500*l.* by voluntary contribution; and as the assembly had cause to think they would not long be continued in their official capacity, they published a resolution expressive of their sense of the public danger, and recommending the discontinuation of trade with Great Britain and the Indies, until the many grievances under which they bowed were lifted from off their shoulders. The governor failed in an attempt to dissolve this assembly, previous to the passing of their resolution; for, having sent his secretary to pronounce their dissolution, he was denied admittance; the business in the mean time was settled, and the proclamation for dissolution made upon the stairs. The merchants and freholders presented an address to the governor; in which, among other remonstrances, they declared their abhorrence of the idea, that they were now enabled to profit by the distresses of Boston; yet that they were ready to sacrifice every thing compatible with the safety and dignity of British subjects, in order to effect a reconciliation. This address surprized and disappointed the governor; who constantly entertained an opinion, that the merchants would have taken a decided part in favour of government measures: his mistake farther appeared, when, upon a motion made by a few

few of his friends for the payment of the tea, and the dissolution of the committee of correspondence, the majority was so great against it, as to render a similar attempt in future absurd.

By this time meetings were numerous and frequent over all parts of the continent. One cause, one injury, and one sentiment, roused and pervaded all. The only perceivable difference took it's rise from a difference of temper, which inclined some to more violent effusions of discontent than others. The friends to England were comparatively very few, and that number still decreased on the arrival of the bills relative to Massachusetts-bay, and for quartering the troops in America. A general congress became the object of universal desire; and that the proper time necessary for bringing about this measure might not be lost, the committee of correspondence at Boston entered into a solemn league and covenant, binding themselves to suspend all commercial correspondence with Great Britain until the rights wrested from them should be restored, and renouncing all communication with those who should refuse to sign this covenant. Agreements of a similar nature were circulated, and acceded to with the greatest avidity, in many other parts of the continent; and a proclamation from General Gage, styling it an unlawful, hostile, and traitorous combination, and enjoining to magistrates to apprehend any person concerned in it, only served to widen the breach between government and the colonists, and to hasten the measures for a general congress. Philadelphia was judged to be conveniently situated for this purpose, and the beginning of September named for the day of meeting. The people chose representatives, as formerly; these chose deputies from among themselves, many or

few, according to the extent of the province. Near nine hundred freeholders at Philadelphia joined in a petition to Mr. Penn, the governor, requesting a general assembly to be called; but this being rejected, the deputies from this province expressed the sense of their constituents by several resolutions, in terms of moderation, and in a manner calculated to excite the tenderest compassion for their unhappy situation. After the strongest professions of attachment to the sovereign and mother country, they renew their former assertions regarding the rights of America, the injustice and oppression practiced in the case of the Bostonians, and the superadded hardships of the new bills relative to Massachusetts-bay. Hence they deduce the necessity of a congress, for the purpose of planning a system of conduct from the united deliberation of the colonies in general; and declare, that great as the inconveniences resulting from interrupted trade may prove, they are ready to sacrifice this, and every other consideration, for the preservation of their liberties. In hopes, however, that remonstrances might at length be effectual, they moved for the speedy appointment of a congress, empowered to lay before the mother country the just claims of her injured colonists. By their resolutions, it was likewise agreed to exclude from all kind of correspondence such towns, cities, colonies, or individuals, as should refuse, decline, or neglect to adopt, and carry into execution, such general plans as should be agreed upon in the congress. The colonies of Virginia and Maryland, and even the two Carolinas, dependent as they were upon the exportation of their products, went a step farther, and resolved not to purchase any more slaves from the West Indies or Africa,

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or any other place; nor send any tobacco, or any other goods whatever to Britain; and that the disadvantage of this might not lie heavy on themselves, they recommended the cultivation of several articles, in lieu of the tobacco, particularly to improve the breed of sheep.

An address presented, while matters were thus situated, to the governor, from the justices of the peace of Plymouth county, in which they expressed great concern at the uneasy posture of affairs, seemed only designed to shew how weak and unavailing all attempts were to oppose the prevailing spirit, what tumult and discontent had followed the decisions of the last sessions of parliament, and how many inexpressible miseries still hung over the continent, if no means of redress were speedily adopted. The Americans were not at this time in the predicament of a London mob, raised they knew not how, and tumultuous they knew not for what; the principal members of the combinations were the landholders throughout America, a set of men respected at any period, much more so now when acting from disinterested motives of patriotism, and for the preservation of their country. Mutual sympathy shed it's benign influence over the distressed inhabitants of Boston, and every relief which circumstances could permit, or friendship suggest, was generously tendered to them.

The arrival of the troops, which had been ordered from Ireland, New York, and other places, although it increased their discontent, did not intimidate the Americans: the approach of violence on one side, suggested the necessity of opposition on the other; and a report that a regiment had been posted at Boston Neck, in order to starve the inhabitants into submission, was followed by the congregation of a great body of men, from
Worcester

Worcester county, determined to march to the assistance of their distressed fellow-colonists; a proof that they looked on the union between Great Britain and America as interrupted, and that they considered themselves as justifiable in any measures which they might think proper to adopt in self-defence. Their frequent meetings for prayer and fasting were much ridiculed by the friends of government; and the governor, by a proclamation, (for the encouragement of piety,) seeming to term their religion hypocrisy, widened the breach where it might have received no injury. The new counsellors appointed by the crown now began to carry on the business of the government, but were soon obliged by the populace to give up the attempt, or abide by the consequences of universal indignation. In the courts of law such was the strength of opposition, that no regularity could be preserved; the judges could neither procure juries, respect, nor obedience. Amidst this mixture of confusion and discontent, some degree of order was still preserved: union in one common cause preserved them from weakness, and the speed with which matters passed towards war, determined them to the most active preparations: Ammunition and military stores were provided with incredible expedition, for all were willing to contribute their assistance, and expence was disregarded. The governor seized upon the stores lodged in the arsenal at Cambridge, and upon some lodged at Charles-town, and caused them to be carried into Boston, fortifying, at the same time, that neck of land which affords the only communication, except by water, between the town and the continent. Reports were industriously raised to try the temper of the colonists; and the issue of all was, that they were resolute to arm, and

and die in defence of their rights. Many officers of the militia gave up their commissions. In partial meetings, the expediency of a congress was earnestly urged, and resolutions passed against the proceedings of the governor: it was likewise recommended, if he attempted to seize on the persons of any gentlemen exerting themselves in the interests of America, to seize on his officers, and keep them as prisoners; at the same time the people were cautioned against every unnecessary manifestation of anger, and to avoid offensive measures, while they could with safety protect themselves and their property. They remonstrated with the governor on the injustice of his orders in seizing the powder and ammunition, and in fortifying Boston Neck, and assured him, that nothing less than a reversal of these acts could ever restore peace to America; the governor returned a civil, but unsatisfactory answer. He said no use should be made of the cannon and fortifications, unless their hostilities should render it necessary.

The congress, at length, was assembled, and Mr. Hancock elected chairman: they entered upon their office with an address to the governor, loudly complaining of their wrongs, and conjuring him in the most earnest manner to desist from the disgustful endeavours to enslave them by military force. The governor sent an answer, even although he denied the legality of the meeting, and retaliated the complaints of hostility, and neglect of charter rights; warning them against irritating government by farther provocations, but in vain: the colonists persisted in giving every degree of opposition to his commands, and no offer nor emolument could bring together as many mechanics as might be sufficient to erect barracks for his soldiers. The governor returned wrath for
wrath,

wrath, and in the night a party of sailors were detached from the ships of war in the harbour, to spike up the cannon on one of the principal batteries belonging to Boston. By this time the congress was strengthened by the deputies from the other colonies, and every determination had the force of law. A general meeting was first held at Philadelphia, on Monday, September 4, 1774. In all their declarations, they united professions of allegiance with the necessities of self-defence, and intimated the reluctance with which they viewed the recovery of their injured rights through the horrid, but unavoidable medium of a civil war. Each colony had but one vote, although the number of delegates was greater or less, according to the extent of the colony. The delegates amounted to fifty-one, from the colonies of New Hampshire, Massachuset's-bay, Rhode-island and Providence plantations, Connecticut, New York, New Jersey, Pennsylvania, the lower counties on the Delaware, Maryland, Virginia, North and South Carolina. Their first resolutions confirm their former intentions respecting the colony of Massachuset's-bay, and the urgency of defence, in so far as it could be used consistently with wisdom and peace. They assured General Gage, that the thirteen colonies were united as one man against his unconstitutional proceedings, and those of the late sessions of parliament, and recommended to him to revise his operations, and countermand the orders which had proved most obnoxious. They published a declaration of their rights, the rights of life, liberty, and property, as handed down from their ancestors, consonant to the nature of the British constitution, and inviolate till the late arbitrary encroachments. They object not to such acts as tend to regulate their
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external commerce, but reprobate every idea of taxation and revenue adopted without their consent. They draw from their charter many arguments against the keeping of a standing army in time of peace, without the consent of the legislature of the country, as being not less contrary to the constitution of America than to that of Great Britain: upon the same principles of infringement they complain of the Quebec bill, and of establishing a mode of legislation opposite to that to which they have been accustomed, and which only they can admit. They conclude with entering into articles, for themselves and their constituents, against importation, exportation, and consumption of goods.

Having procured an unanimous consent to these articles, they drew up a petition to his Majesty, a memorial to the people of Great Britain, an address to the colonies in general, and another to the inhabitants of Massachusset's-bay. All these are framed with elegance of stile, and in a manner that tended to command attention, and move the affections. They can now only be viewed with the melancholy reflection, that they were calculated to produce effects to which the infatuation of the times was adverse; and that reasoning so potent, and energies so impressive, were thrown away upon a nation of enlightened, virtuous men, by the baneful influence of systematic corruption.

In the petition to his Majesty, they enumerate the many grievances under which they labour, from a succession of endeavours to deprive them of their dearest rights; the bare recital of which, they trusted, would incline his Majesty to grant them relief. They intreat him to consider their present situation, and the probable consequences;
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and respectfully beg to assure him, that the blood which inevitably will be spilt in their defence, would have been lost with pleasure, if lost in their most loyal exertions to defend his crown and kingdom. To the conduct complained of they ascribe all their confusion; and on a distant prospect of a change in this conduct, they venture to build a hope of peace. In the address to the inhabitants of Great Britain, they attempt to rouse them, by painting the horrors of their condition in colours the most striking, and in appealing to their judgments, whether their injuries may not in time be the injuries of the mother country itself. The arbitrary measures that have been fatal to the colonies, may be equally so to Great Britain. In their address to the colonies, they trace their injuries from the year 1764, point out the duty and interest of every friend to their constitution, and express some hopes of the effects which their representations to the King and people of England may produce in their favour. After finishing these addresses, the congress was adjourned; this, their first sessions, having lasted fifty-two days, unmolested by and regardless of the governor's proclamations against them. Those who chose to obey his orders, and stand up in defence of government, were now said to retire to Boston, and speak their minds under the protection of the military power. We will now leave the affairs of America, to see whether the congratulations of success over their disobedient spirit still continued to be offered by them who attempted to curb it.

However acutely the people of England feel misfortunes, they partake, in common with more lively nations, of a disregard to the future and the distant. The impulse of a moment outweighs the
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the probability of consequences; and that courage, and contempt of fear, which are their pride and distinguishing honour in the field, are misplaced when admitted into the cabinet. America was, at this time, talked of in England with no little share of indifference. The general election now approached, and the securing a seat for John Wilkes predominated over every consideration of the provincial events. The opposition, so often foiled, seemed to yield to the depression; and the dissolution of parliament, for a time, drew off public attention from every other concern. Many reasons, principally conjectural ones, are assigned for this step; but as facts must, in this history, take the place of diversified and contradictory opinions, it is sufficient to mention, that the proclamation was unexpected, and in some measure alarming. The writs being made returnable for the 29th, the parliament met on the 30th of November. Sir Fletcher Norton was appointed Speaker. His Majesty acquainted the houses, of a most daring spirit of resistance and disobedience still unhappily prevailing in the province of Massachusetts-bay, and which had broke forth in fresh violences of a very criminal nature; that the most proper and effectual measures had been taken to prevent these mischiefs, and that they might depend upon a firm resolution to withstand every attempt to weaken or impair the supreme authority of this legislature over all the dominions of the crown. The greatest satisfaction was expressed, likewise, in his Majesty's speech, at the peace concluded between Russia and the Porte. Without demanding any particular supplies, it was particularly recommended to both houses, at this time, to proceed with temper in their deliberations,

berations, and with unanimity in their resolutions.

As the address, moved for in consequence of this speech, seemed to many of the opposition to imply an approbation of the acts which they had taken some pains to prevent, it was debated at considerable length, whether or not his Majesty should immediately be requested, that he would be graciously pleased to communicate the whole intelligence he had received from America, and the letters, orders, and instructions, upon that business. This information the minority of the new parliament demanded as absolutely necessary, before they could give judgment on the conduct of measures at home, or the posture of affairs in America: without this deliberation, the world would conclude, that the new parliament had servilely followed the plans of the old without examination, and without the least regard for the interest of the colonies. Severe reflections were thrown out against the last parliament, and that emptiness of boasting which seemed to promise so much from their hasty determinations. To this it was answered, that as addresses were mere matters of course, they in no degree affected the considerations of another time, when American affairs might be introduced with more propriety; in the mean time, said the minister, as America has made no offers of reconciliation, shall Britain submit to concessions? When a division was called for, the numbers were two hundred and sixty-four who voted for the address as it originally stood, and seventy-three who voted for the amendment, so that the strength of opposition was not greater than it had been in the former parliament, where ministry carried every measure with so high an hand.

hand. In the House of Lords, opposition was equally weak on a debate of a similar nature, and conducted by similar arguments; for only thirteen appeared for the amendment, and sixty-three against it. Nine of the former number joined in a protest, the first ever known to have been drawn up against an address. It concludes with these words: "It affords us a melancholy prospect of the disposition of Lords in the present parliament, when we see the house, under the pressure of *so severe and uniform an experience*, again ready, without any enquiry, to countenance, if not to adopt, the spirit of former fatal proceedings. But whatever may be the mischievous designs, or the inconsiderate temerity, which leads others to this desperate course, we wish to be known as persons who have ever disapproved of measures so pernicious in their past effects and their future tendency; and who are not in haste, without enquiry or information, to commit ourselves in declarations which may precipitate our country into all the calamities of a civil war."

For some years past it had been customary to form the national estimates in direct contradiction to the avowed state of the nation. When the speech gave assurances of perfect tranquillity, the estimates were formed upon a war establishment; and now, when hostilities were confessed, the estimates were formed upon a peace establishment. Such absurdities could not fail to call up the gentlemen in opposition; who were the more warm on this occasion, as the minister declined any attempts to settle the business of America, or to listen to any proposals for laying a state of those matters before the house. A reduction of four thousand seamen took place; notwithstanding of which, the first Lord of the Admiralty declared

we were incontestibly superior to any force which the Americans could possibly raise from a rabble of undisciplined men. An end was in the mean time put to the ridiculous difference between the House of Lords and that of the Commons, which began in 1770; and the consideration of American affairs, in spite of all arguments against the measure, delayed till after the Christmas holidays. Gentlemen of mercantile professions were particularly alarmed, and were preparing petitions. The report of their frequent meetings did not give the ministry so much uneasiness, as the support which was added to the minority by the presence of Lord Chatham; who, after a long absence, resumed his seat to express his disapprobation of the measures against America, and, on January 20th, moved an address to his Majesty, for recalling the troops from Boston; a motion which his Lordship declared to be part of a plan which he was about to lay down for a settlement between England and America. The immediate necessity of the step appeared from the consideration, that the present situation of the troops, and the temper of the colonists, were such, that some event or other of open hostility would inevitably soon take place, and prevent the possibility of any after reconciliation. The people of this country had been deluded by false accounts of the colonists, especially by a report that the injuries of Boston had caused no dissensions beyond that town or province, and that the presence only of military would be sufficient to restore peace. His Lordship recapitulated the arguments of the last parliament against the acts relating to America, each of which he enlarged upon at great length, and concluded with these remarkable words: "If the ministers thus persevere

persevere in misadvising and misleading the King, I will not say, that they can alienate the affections of his subjects from his crown, but I will affirm, that they will make the crown not worth his wearing. I will not say, that the King is betrayed, but I will pronounce that the kingdom is undone." But the cabinet having determined on coercive measures, they declared that the mother country should not relax till America confessed her supremacy; and that obedience should be required by arms. The majority was sixty-eight, the minority only eighteen, among whom was his Royal Highness the Duke of Cumberland.

Encouraged by this success, Lord North laid the American papers before the House of Commons; but they consisted of extracts, containing only the facts in the original letters, as it had been determined that the former inconveniences, created by divulging private opinions, should be obviated. Some in opposition objected to this; but his Lordship was peremptory, and the papers were, in this mutilated state, ordered to be referred to a committee of the whole house. It was moved, about this time, that the petitions from the trading companies in the kingdom should be likewise referred to this committee; but the ministry endeavoured to prevent this, by establishing a distinction between the commercial views of the petitioners, and the political views of parliament, and proposed a separate committee for the consideration of the merchants' petitions, as the committee for considering the American papers would have no time for such deliberations as might produce speedy redress, if interrupted and embarrassed by numerous petitions. Opposition, on the other hand, declared this to be worse than a flat rejection of the petitions, and termed

the proposed committee a *committee of oblivion*; but no opposition was effectual, for the numbers in favour of this proposal were more than two to one, and petitions from Bristol, Glasgow, &c. &c. were referred to the committee of oblivion.

The 26th instant being appointed for the consideration of the American papers, the London merchants, in their second petition, endeavoured to connect the commercial and political interests of the nation more nearly than the ministry had been willing to allow; alledging that the original connection of America with the mother country, and the benefits resulting from it, were of a commercial kind; and of course the propriety or impropriety of the late regulations were questions inseparably united with the commerce between Great Britain and America. After lamenting the late decision by which their petition was referred to a separate committee, and virtually rejected, they beg to be heard by themselves or their agents, in support of their former petition. In consequence of this request, the minority resumed their former arguments in favour of the petitions, and moved that the obnoxious order for referring their petition to a separate committee should be discharged. To negligence the minister added injustice, to incapacity want of reason, and to specious pretences of expediency the grossest inconsistency. These defects in the members of administration destroyed trade, made the middling classes beggars, and the revenue poor; and were the causes of the many miseries that could not fail to ensue from the business of last year. And as if the measure of England's disgrace had not been full, ministry now offered the greatest indignity to the mercantile and most important

important part of the people, by treating their petitions with a rudeness uncommon at all times, unwise at this critical period, and not warranted by any arguments from reason, law, justice, or necessity. By refusing these petitions, the committee for the consideration of American affairs must err for want of information; and if any thing can be more fatal than such ignorance, it is the delay which has protracted the consideration until perhaps it may be out of their power to prevent a civil war, or put a stop to what advances may reasonably be supposed to have been made ere now in that distressed country. The ministerial party answered to this, that the merchants ought not to be wanting in that confidence which they were wont to place in parliament, without the supremacy of which England derived destruction rather than benefit from her commerce with America; and if, in asserting this supremacy, commerce should be interrupted, surely they ought quietly to bear the inconvenience, who would be the greatest gainers by the establishment of the rights of sovereignty. They farther insinuated, that the voice of faction had proved a powerful mean for making many of the merchants subscribe the petitions. The delay of the consideration of American affairs proceeded from a report, that a petition from the congress was on it's way to England, and which was of a conciliatory tendency. But when Lord North, in defending his conduct against the attacks pointed at himself in particular, attempted to maintain that he could not foresee the mischiefs from the exportation of the East India Company's tea, and that he did it merely to serve that company, he was silenced by a gentleman belonging to the company, who begged to remind his Lordship of the warning he had given him

concerning the exportation of the tea, and repeated, that laying a duty on the tea in America, and granting a draw-back in England, was a solecism in commerce and in politics, and an absurdity which had been reprobated when first proposed. On a division, however, there appeared two hundred and fifty who opposed rescinding the resolution relative to the petitions, and only eighty-nine who supported the motion; and when Mr. Bollan, Dr. Franklin, and Mr. Lee offered a petition, stating that they were authorized by the American congress to present a petition to the King, the offer was rejected by a prodigious majority, who denied the legality of the congress, and refused to listen to any mode of reasoning which tended to represent the danger of rejecting petitions from bodies of individuals, a measure that would infallibly end in rebellion. The merchants of London now were determined not to present their petitions, or submit their affairs to the committee of oblivion: and one of their number acquainted the house, "that merchants revealing at that bar the state of their affairs was a measure which all would wish to avoid, unless upon such great occasions as the present, where the public weal is evidently at stake, when their duty, as good subjects, requires it of them; but when the mode of examination is such as totally precludes them from answering the great public object, which, in their opinion, is clearly the case at present, they beg leave humbly to signify, that they wave appearing before the committee which has been appointed; and that the merchants are not under any apprehensions respecting their American debts, unless the means of remittance should be cut off by measures that may be adopted in Great Britain."

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The great majority by which Lord Chatham's motion for the recall of the troops from Boston was rejected, and the conduct of administration in the affair of these petitions, did not discourage this nobleman from a continuation of the plan which he had announced. In the beginning of February he brought in a bill entitled, "A provisional act for settling the troubles in America, and for asserting the supreme legislative authority, and superintending power of Great Britain over her colonies." This act was treated with most unexampled severity, and every appearance of moderation towards it met with contempt. It was condemned for being too comprehensive, and as it tended to lessen the dignity of parliament, it would, they declared, be cowardice to accede to the views of the Americans. No proposal of concession must come from England; and although one of the conditions of this reconciliation was a full acknowledgment of the supremacy of the legislature, and the superintending power of the parliament, yet it did not decide upon the right of taxation, but partly as a matter of grace, and partly, as it appeared, as a compromise, declared, that no tallage, tax, or other charge shall be levied in America, except by common consent in their provincial assemblies; a manner of concession, by which a right is implied. It farther declared the holding of a congress to be legal, and restored the civil and legislative power of America to the state in which they were previous to the late acts. Hence the bill accords with the pleasure of the Americans in every respect, gives connivance to their traitorous proceedings, and gives a sanction to their disloyal designs, of which we can now be no longer ignorant; since their having attacked one of the King's forts, and carried off the stores,

constitutes actual rebellion, and under such circumstances it is imprudent to think of concession on our part. Lord Chatham returned most spirited replies to all these, and many other objections and invectives, thrown out against the part he had taken. Since administration had acknowledged that rebellion had existed, was there one of them possessed of any plan to crush it in it's beginnings; if they were, his Lordship declared himself willing to withdraw his present bill, in submission to that of any other peer. Those who supported his Lordship, entered with great warmth upon a recapitulation of the whole conduct of the ministry in regard to America, and endeavoured to excite in them a sense of the horrors of a civil war, and that contempt in which they would certainly be involved with foreign powers by the proceedings of this day, but in vain; the bill was not so much as allowed to lie upon the table, and rejected by a majority of two to one.

In a petition presented the next day by the West India planters, it was represented, that all trade between North America and the West Indies was to end on a given day, unless the acts of parliament which had disgusted the Americans should be repealed by that time; that the British property in the West India islands amounted to upwards of thirty millions sterling; that a further property of many millions was employed in the commerce created by the said islands, a commerce comprehending Africa, the East Indies, and Europe; and that the whole profit and produce of these capitals ultimately center in Great Britain, and add to the national wealth, while the navigation necessary to all it's branches establishes a strength which wealth can neither purchase nor balance. The petition concludes with representing the distressed situation

tion into which the islands will be reduced by a continuance of the intended interruption to trade. This petition met with the same fate as the others. The same day Lord North laid open his plain with regard to the Americans.

In a long speech he endeavoured, from what information the papers contained, to discriminate between the different progress of rebellion in the different colonies, and maintained that undue arts had been practised as well in this country as in America, in order to kindle the present flame; he said, that so far were the Americans from being burdened by revenues of any kind, that one Englishman pays fifty times as much money to the public expence as a man in America. The legislative supremacy of parliament, and the universal resistance made to it, demanded that we should send over a greater force to America, and pass an act for putting a stop to all the foreign trade of the different colonies of New England, particularly to their fishery on the banks of Newfoundland, till they should return to their allegiance. As the other colonies had not made such rapid advances towards rebellion, more lenient measures might be adopted in their case. He therefore moved for an address to his Majesty, and for a conference with the Lords, that it might be the joint address of both houses. The address runs thus: "To return thanks for the communication of the American papers, and to declare, that having taken them into the most serious consideration, they find that a part of his Majesty's subjects, in the province of Massachusetts-bay, have proceeded so far as to resist the authority of the supreme legislature, and that a rebellion at this time actually exists within the said province; that they see, with the utmost concern, that they have
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been countenanced and encouraged by unlawful combinations and engagements entered into, in several of the other colonies, to the injury and oppression of many of their innocent fellow-subjects resident within the kingdom of Great Britain, and the rest of his Majesty's dominions; that this conduct appears the more inexcusable, when they consider with how much temper his Majesty and the two houses of parliament have acted, in support of the laws and constitution of Great Britain. They declare, that they can never so far desert the trust reposed in them, as to relinquish any part of the sovereign authority, over all the dominions, which by law is vested in his Majesty and the two houses of parliament; and that the conduct of many persons, in several of the colonies, during the late disturbances, is sufficient to convince them how necessary this power is for the protection of the lives and fortunes of all his Majesty's subjects; that they ever have been, and always shall be, ready to pay attention and regard to any real grievances of any of his Majesty's subjects, which shall in a dutiful and constitutional manner be laid before them; and whenever any of the colonies shall make a proper application to them, they shall be ready to afford them every just and reasonable indulgence; but that at the same time they consider it as their indispensable duty humbly to beseech his Majesty, that he will take the most effectual measures to enforce due obedience to the laws and authority of the supreme legislature; and they beg leave in the most solemn manner to assure his Majesty, that it is their fixed resolution, at the hazard of their lives and properties, to stand by his Majesty against all rebellious attempts, in the maintenance of his just rights, and those of the two houses of parliament."

The

The most important debates of this session were the consequences of this proposal, for an address of the above tendency. A question in law came first to be determined, viz. whether the Americans were actually in *rebellion*, or not? The appearances of riot and disorder complained of were not of that nature which implied rebellion, nor did they arise from motives of a rebellious import; and as the disorders were entirely owing to the conduct of an administration anxious to establish despotism, such despotism ought to be resisted, and such resistance was precedent and constitutional. On the other hand, the crown lawyers argued, that when any person makes resistance with open force to the execution of the laws, every such person is to be considered as guilty of high treason; and that the acts of violence committed in the province of Massachusetts-bay were undoubtedly rebellion, unless the gentlemen in opposition could make any difference between rebellion in England and rebellion in America. The gentlemen in opposition answered, that it was a matter of no great consequence whether the term *rebellion* should be used, or not; the question was, whether it would be prudent for parliament to declare the Americans to be in a state of rebellion; that it was very idle to think of confining this declaration to Massachusetts-bay, as the whole colonies were avowedly in a conjunction of interests, and would only be rendered more desperate, and the union be more intimately cemented, by an appearance of discrimination. But they who argued in defence of the address did not see matters in this light; they imagined, that the declaration could not affect the future lenity of the crown, if it should be merited; and that the proposed address, instead of farther irritating, must certainly

certainly convince the colonists that we are willing to warn them of the dangers they run by untoward perseverance in acts of hostility; that the colonists, as mere men, could not long persist in their present resolutions of self-denial; and being notoriously of a disposition too pusillanimous for the profession of arms, their assemblies, their union, and their strength, would infallibly vanish, as soon as they learned that parliament were determined on vigour and severity. An amendment proposed by a member in opposition being rejected, the address was carried by two hundred and ninety-six against an hundred and six.

A few days after, this debate was renewed with additional eagerness by the minority, on a motion being made for recommitting the address which had been agreed to in the committee. Besides the arguments so often unsuccessfully made use of, parliament were now reminded of their situation with regard to their neighbours, who would certainly omit no occasion to embroil us in a war with the colonies, and, by dividing our strength, bring this empire to the brink of ruin. But the friends to administration persisting in their former opinions, this motion was rejected by two hundred and eighty-eight, to an hundred and five who supported it. Next day a conference was held with the Lords, to propose their joining in the address, and the President, after the conference, having made the report, and read the address, the Secretary for the American department moved, that the blank which was left open in the address presented by the Commons, should be filled up by the insertion of these words, "The Lords spiritual and temporal." The Marquis of Rockingham, who had stood up at the same instant, to present the petitions of the merchants, but who had been ordered

dered to give place to the noble Lord in administration, now endeavoured to demonstrate the importance of those petitions; as the papers laid before them by the ministers were so evidently defective, as to convey no certain information. In this dispute, although some of the members spoke mildly of the merchants, and seemed to think that they merited a considerable degree of attention, the Marquis found himself opposed by a very great majority on a division, the numbers being an hundred and four who voted against the previous question, to twenty-nine who supported it. In a protest, signed by eighteen Lords, it is complained that this refusal of the petitions is a most unwarrantable proceeding, and directly subversive of the most sacred rights of the subject. It is more particularly exceptionable, as a Lord in his place, at the express desire of the West India merchants, informed the house, that, if necessitated to do so, they were ready, without counsel, or farther preparation, instantly to offer evidence to prove, that several islands of the West Indies could not be able to subsist after the operation of the proposed address in America. Justice, in regard to individuals, policy, with regard to the public, and decorum, with regard to ourselves, required that we should admit this petition to be presented. We ought, as we conceive, with gladness to have accepted that information from the merchants, which, if it had not been voluntarily offered, it was our duty to seek. There is no information concerning the state of our colonies, taken in any point of view, which the merchants are not far more competent to give than governors or officers, who often know far less of their temper and disposition, or may be more disposed to misrepresent it than the merchants. Of this

this we have a full and melancholy experience, in the mistaken ideas on which the fatal acts of the last parliament were formed. In entering into a war, in which mischief and inconvenience are great and certain, (but the utmost extent of which it is impossible to foresee,) true policy requires, that those who are most likely to be immediately affected, should be thoroughly satisfied of the deliberation with which it was undertaken.

On the original motion, the debate began, as in the other house, with the discussion of the question whether these disorders amounted to rebellion. It was conducted with great learning by two eminent law Lords, whose opinions, however, were essentially different. The question, after all, was left in the same obscurity as it was found, and the other subjects of the address attended to. Ministerial friends contended, that we were now reduced to the alternative of coercive measures, or relinquishing our supremacy over the colonies, and from the conduct of the Americans no medium could possibly be applied; and as for the merchants, their grievances, although acknowledged to be great, were only part of the universal hardships which were attendant on war, and in which every subject, as well as them, would be under the necessity of bearing a part. The answers of the minority are expressed in nearly the following manner, in a protest signed by the same number that signed the former. "The violent manner of this dangerous address was highly aggravated by the violent manner in which it was precipitately hurried through the house. Lords were not allowed the interposition of a moment's time for deliberation, before they were driven headlong into a declaration of a civil war. A conference was held with the Commons, an address of this importance

importance presented, all extraneous information, although offered, positively refused; all petitions are arbitrarily rejected, and the whole of this most awful business received, debated, and concluded, in a single day. No legal grounds were laid in argument, or in fact, to shew that a rebellion, properly so called, did exist in Massachusset's-bay, when the papers of the latest date, and from whence we alone derive our information, were written. The overt acts to which the species of treason affirmed in the address ought to be applied were not established, nor any offenders marked out; but a general mass of the acts of turbulence, said to be done at various times and places, and of various natures, were all thrown together, to make out one general constructive treason. Neither was there any sort of proof of the continuance of any unlawful force, from whence we could infer that a rebellion does now exist. And we are the more cautious of pronouncing any part of his Majesty's dominions to be in actual rebellion, because the cases of constructive treason, under that branch of the 25th of Edward the Third, which describes the crime of rebellion, have been already so far extended by the judges, and the distinctions thereupon so nice and subtil, that no prudent man ought to declare any single person in that situation, without the clearest evidence of uncontrovertible overt acts, to warrant such a declaration; much less ought so high an authority as both houses of parliament to denounce so severe a judgment against a considerable part of his Majesty's subjects, by which his forces may think themselves justified in commencing a war, without any farther order or commission. We think that several acts of the late parliament, and several late proceedings of administration, with regard

to

to the colonies, are *real grievances*, and just causes of complaint; and we cannot, in honour, or in conscience, consent to an address which commends the temper by which proceedings so very intemperate have been carried on; nor can we persuade ourselves to authorize violent courses against persons in the colonies who have resisted authority, without, at the same time, redressing the grievances which have given but too much provocation for their behaviour. The means of enforcing the authority of the British legislature, is confided to persons of whose *capacity* for that purpose, from abundant experience, we have reason to doubt, and who have hitherto used no effectual means of conciliating or of reducing those who opposed that authority: this appears in the constant failure of all their projects, the insufficiency of all their information, and the disappointment of all the hopes which they have for several years held out to the public. Parliament has never refused any of their proposals, and yet our affairs have proceeded daily from bad to worse, until we have been brought step by step to that state of confusion, and even civil violence, which was the natural result of those desperate measures. We therefore protest against an address amounting to a *declaration of war*, which is founded on no proper parliamentary information; which was introduced by refusing to suffer the presentation of petitions against it, (although it be the undoubted right of the subject to present the same,) which followed the rejection of every mode of conciliation, which holds out no substantial offer of redress of grievances, and which promises support to those ministers who have inflamed America, and grossly misconducted the affairs of Great Britain."—The numbers were, on the division, eighty-



eighty-seven who agreed with the Commons in the address, and twenty-seven who were against it. In the course of the debates, the public were not a little alarmed at some discoveries made of secret influence in the cabinet, by which the measures of ministry were carried against the opinion of ministers. Every thing at this time seemed to conspire to bring down odium and indignation on the conduct of administration, who were about to plunge into the perplexities of civil war on pretences which they could not justify, and even without the requisite plans of consideration which a matter of such infinite consequence required. In the answer to the address, his Majesty gave assurance of taking the most speedy and effectual measures for enforcing due obedience to the laws, and authority of the supreme legislature; and declared, that whenever any of the colonies should make a proper and dutiful application, his Majesty would be ready to concur in affording them every just and reasonable indulgence; and concluded with an earnest wish, that this disposition might have a happy effect on their temper and conduct. By a message from the Throne to the House of Commons, his Majesty at the same time informed them, "that as it was determined, in consequence of the address, to take the most speedy and effectual measures for supporting the just rights of the crown, and the two houses of parliament, some augmentation of the forces by sea and land would be necessary for that purpose." This message was referred to the committee of supply.

Coercive means having taken entire possession of the mind of the minister, he prosecuted his plan by laying before the house the heads of a bill, "to restrain the trade and commerce of the provinces of Massachusetts-bay, and New Hamp-

“shire, the colonies of Connecticut and Rhode-
“island, and Providence plantation, in North
“America, to Great Britain, Ireland, and the
“British islands in the West Indies; and to pro-
“hibit such provinces and colonies from carrying
“on any fishery on the banks of Newfoundland,
“or other places therein to be mentioned, under
“certain conditions, and for a limited time.”—

His Lordship supported his bill by these reasons:
The Americans have refused to trade with this
kingdom, therefore we ought not to allow them to
trade with any other nation. The fisheries in
America, and the power of restraining navigation,
are in the hands of Great Britain, and the refrac-
tory complexion of our American subjects requires
this check, especially as both houses have declared,
that a rebellion actually exists in Massachusetts-
bay; and as the power of government in the pro-
vince of New Hampshire is greatly weakened, if
this province is not included in the bill, the pu-
nishment will be inadequate to the purposes in-
tended by it. Connecticut, and the other pro-
vinces, have given sufficient proofs of their spirit,
and of the necessity we are under to make them
likewise sensible of their error. This act is only
meant as temporary, and it admits of such altera-
tions as may not affect it's main tendency; and if
there are any men, or set of men, who can pro-
cure testimony of their peaceable conduct, and
are willing to acknowledge, by subscription, the
rights of parliament, they may be excepted. The
other members who spoke for the bill declared
it to be their opinion, that whatever appearance
of cruelty it might carry with it, or whatever
distresses it might occasion, it was but a just re-
compence for the disobedient combinations of
the colonists; and that similar provocations from
any

any other power would have drawn down universal indignation on the ministry, if they had hesitated one moment in demanding satisfaction. Besides, this punishment is so far disproportioned to their guilt, that it evidently is intended to awaken them from their present delusion, and avert from them that severer wrath which ought to fall on rebellion and contempt of authority. That many inconveniences may accrue to innocent individuals, cannot be denied; but in a measure so well justified by the most urgent necessity, many advantages must be overlooked, and the attention directed to the principal benefits, which they who oppose this bill either cannot, or will not foresee; and as the Americans have within these few years, on more occasions than the present, interrupted the free course of the trade of this kingdom, it remains only to be considered, whether commerce be worth preserving in a precarious and uncertain state, or whether, by vigorous assertion of the supremacy of parliament, we shall endeavour to establish it on a more firm basis than the caprices of factious men. Every objection that can possibly be made to this bill is silenced by considering the conduct and designs of the Americans. It is indeed adopted with reluctance, but their disobedience calls for immediate punishment; and no mode of punishment can be suggested more merciful than the one in question, perhaps it is too much so. The hazard of a famine is grounded on misrepresentation; the provinces of New England have Indian corn in great plenty, and the rivers supply them with fish in quantities requisite to prevent this calamity. We do not lay them under the necessity of perishing through want, or rushing into rebellion: there is

another mean in their choice; if they neglect it, the blame rests with them.

The minority, although inconsiderable in numbers, never argued with greater energy, nor conceived any duty more important than that of giving every possible obstruction to this bill. The punishing of so many thousand innocent people, for the sake of a few unknown individuals, is a step towards that severity that is only preceded in the annals of the most cruel tyrants. The rebellion has been declared in one province, and two more are to be punished in the same manner, without this declaration. That one province is punished for a rebellion of which none have proved the actual existence, and a second, because it was situated in the neighbourhood of the former, and a third and fourth are included without any other pretence than the will of ministers; a proof that no set of men ever possessed talents so well adapted to ruin this country, by exciting rebellion in its dominions, and overturning its constitution. In the case of war with our natural enemies, it has been a rule to spare the coast-fishing craft; but this rule is neglected in the case of our own subjects. The people of New England, who not only use fish as a principal article in their diet, but likewise in exchange for other commodities of the greatest importance, are hereby to be starved, or left to the mercy of a governor, who will not fail, doubtless, to take this opportunity for the exercise of partiality and insulting cruelty; and allowing that the whole colonies to a man had rendered themselves obnoxious to the laws of our government, what have the merchants and traders in England done that they too should bear a share, and a very considerable one, of the Americans' punishment?

punishment? for, by this bill, the New Englanders are incapacitated from paying the debts owing to Great Britain, as the regularity of their payments has hitherto entirely depended upon their fishery, and the trade connected with it; a trade which we do not, and cannot, even by this bill, transfer to ourselves. The benefits which have hitherto resulted to us from the fishery must end, and the fishermen must starve, or turn soldiers, and the plan of coercion and punishment which we are contriving for the Americans must recoil upon ourselves, inscribed with the language of absurdity and injustice. The necessity which has been pleaded, furnishes no defence till that necessity shall be proved. A comparison cannot be drawn between the Americans and any other power. We know that foreign nations are influenced only by fear; if we think to apply that in the present case, we destroy the bond of internal government, and shew to the world that we are determined to be callous to the experience which the effects of our last parliamentary proceedings might have furnished us with. The direct consequence of this bill will be to create in the minds of the Americans, an indelible contempt for the government of Great Britain; and since ministers have it in their power to convert every branch of legislative power into absolute tyranny, open rebellion cannot be far off, under circumstances of such uncommon urgency.—Many other arguments were brought, and petitions presented containing facts demonstrative of the inconsistency and injustice of the bill. By these facts, it appeared, that the punishment would fall heaviest on the people who were not even alledged to deserve it, and on Great Britain itself; that neither the whale nor cod fisheries from Newfoundland to

Great Britain yielded profits equal to those in North America; and that, from the want both of vessels and of men, it would be impossible to transfer the firkins to Nova Scotia or Quebec, and the attempt would require a length of time highly injurious to the trade. It likewise appeared, that near a million of money was owing to the city of London only, from New England. A counter petition was at this time presented by the merchants, traders, and principal inhabitants, of the town of Poole, in Dorsetshire, containing a support of the principles upon which the fishery bill was founded; but this petition was afterwards disclaimed by another from the town, corporation, and principal inhabitants. From the evidence of one of the Poole merchants, who had long traded to Newfoundland, it was proved, that about four hundred ships, of about thirty-six thousand tons burden, two thousand fishing shallops, of twenty thousand tons burden, and twenty thousand men, were employed in the British Newfoundland fishery; that above six hundred thousand quintals of fish were taken annually, which, upon an average of seven years, were worth fourteen shillings per quintal, and with the other amounts, consisting of salmon, cod-oil, seal-oil, and furs, exceeded five hundred thousand pounds annually; and that of twenty thousand men, from Great Britain and Ireland, employed in that fishery, eight thousand necessarily continued in Newfoundland all the winter.—But in the present temper of the ministry, neither arguments, petitions, or facts, availed aught; and after the rejection of a motion, “that the act should not extend to prohibit the importation into any of the said provinces, of fuel, corn, meal, flour, or other victual, brought coast-wise from any part of America,” the opposition

position were defeated by a prodigious majority of nearly four to one.

In the House of Lords, the arguments for and against the bill were nearly similar with those used in the House of Commons. A small but animated minority put every endeavour in practice to prevent it's being carried through, considering it "as one of those unhappy inventions, to which parliament is driven by the difficulties that daily multiply upon them, from an obstinate adherence to an unwise system of government. That government which attempts to preserve it's authority by destroying the trade of it's subjects, and by involving the innocent with the guilty in a common ruin, if it acts from a choice of such means, confesses itself unworthy; if from inability to find any other, admits itself wholly incompetent to the end of it's institution. The attempt made to bribe the nation into an acquiescence in this arbitrary act, by holding out to them, as a temptation for that purpose, the spoils of the New England fishery, is a scheme full of weakness and indecency; of indecency, because it may be suspected that the desire of the confiscation has created the guilt; and of weakness, because it supposes, that whatever is taken from the colonies is of course to be transferred to ourselves. In the year 1704, the whole amount of the exports to the New England provinces, was only about seventy thousand pounds annually; in the year 1754, it rose to an hundred and eighty thousand pounds; and in the last ten years, amounted to near eight hundred thousand pounds. The Lords and Commons of Great Britain are to be instructed by two inconsiderable men of the town of Poole, contrary to the declared sense of all the merchants in England; and made to believe, that this vast com-

merce did not enrich this country, and that the marine interest of England would be improved by the destruction of the American trade." But although the majority entertained some differences of private opinion concerning the bill, the scheme of coercion was not to be dropped by a rejection of it; accordingly, when a division was proposed, the numbers were, on the last reading, seventy-three who supported the bill, and twenty-one who were against it; of these last sixteen entered a protest. An amendment was offered in this house, "that the colonies of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, should be included in the same restrictions with the New England provinces." Some letters that arrived after the bill had been carried through the House of Commons, and which contained accounts of the conduct of the colonists in these parts, gave rise to this motion. After considerable opposition, the amendment was carried by fifty-two to twenty-one; but when a conference was, a few days after, held with the Commons, it was agreed to reject the amendment. The bill received the royal assent on the 30th of March, and needed no addition to make it sufficiently odious to the Americans, and drive them on to the most alarming extremities.

After two thousand seamen, and an augmentation of four thousand three hundred and eighty-three men to the land forces, had been voted for, the parliament were informed that the force at Boston was to be augmented to ten thousand men; and that the operations against the Americans, in case of continued disobedience to the laws, were to be carried on by detachments. Besides the cruelty of making no distinction between friends and foes, this plan was objected to, as being insufficient;

ficient; as the Americans, instead of being deterred by a force so small, would rather take encouragement; by which means great expence would be incurred, without the least probability of any advantage.—But the attention of all ranks was now directed to an object which astonished not less by it's unexpected appearance, than by it's obvious impotence. This was Lord North's famous conciliatory motion; the purport of which was, “that when the governor, council, and assembly, or general court, of his Majesty's provinces or colonies, shall propose to make provision, according to their respective conditions, circumstances, and situations, for contributing their proportion to the common defence, such proportion to be raised under the authority of the general court, or general assembly, of such province or colony, and disposable by parliament; and shall engage to make provision also for the support of civil government, and the administration of justice in such province or colony, it will be proper, if such proposal should be approved of by his Majesty in parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duties, tax, or assessment, or impose any further duty, tax, or assessment, except only such duties as it may be expedient to impose for the regulation of commerce; the nett produce of the duties last mentioned, to be carried to the account of such province, colony, or plantation respectively.”

In a very long and learned introductory speech, his Lordship acquainted the house, that he had founded these resolutions upon the following passage

sage in the late address, and in some respect upon the whole tenour of that address: "and whenever any of the colonies shall make a proper application to us, we shall be ready to afford them every just and reasonable indulgence."—He repeated what he had before said of the address, that it was intended, not more to give the Americans proofs of our being determined to support our rights, than to hold out to them the assistance of a conciliatory disposition, which would always incline us to forgiveness upon proper concessions; and if the mode of taxation, and not the right, was at present contended, the Americans had now an opportunity to wipe off the stain of their former misconduct, by raising their shares of contribution in what manner they should think most proper. His Lordship added, that this resolution held out the terms upon which tranquillity might be restored, and left the Americans inexcusable, should they pretend ignorance; and at the same time put their sincere desires of peace, and professions of loyalty, to such a test, as would be obvious to all the world. As, however, this resolution might appear to some members to be of a nature very different from that of the former acts respecting the colonies, he explained this seeming contradiction, by alledging, that no declaration of the house could bind to an adherence strictly to any former resolution relative to the submission to be required of the colonies, previous to a relaxation on our side. Such deviation was not unusual in the annals of England, as well as of other nations, especially when a necessity like the present demanded it; for his Lordship frankly confessed, that the result of our taxing the colonies had proved unproductive, in point of revenue; a circumstance
not

not surprizing, when we reflect on the local knowledge that is indispensable, and not easily procured, in levying duties in America.

It is inconceivable what consternation seized on the minds of the hearers of this motion and speech. Lord North scarcely appeared to be himself; his friends doubted the evidence of their senses, when they turned towards his seat; and some did not scruple to say, that his Lordship, like a dying man, now spoke in a stile he had been unaccustomed to during life, and, as a prelude to his resignation, wished to recant his former tenets, and involve the whole ministry in confusion. His friends opened the debate by throwing out suspicions of this kind, and denying that his motion accorded with the address, and that to admit the injustice of parliament in taxing America was a palpable contradiction to every preceding resolution, and an unprincipled prevarication. The minister was again and again called on to explain, for the obscurity of some part of the resolution was more alarming than that which was understood. Another member undertook to explain and defend the motion; and began by asserting, that nothing could be farther from the intention of the minister, than to yield a single contested point to the Americans, but rather to propose a better method of enforcing the demands of parliament than their former acts provided; that the appearances of concession and lenity which this motion presented, would not in the least obstruct the operation of the rigid measures which had met with the approbation of the house. It served only to discriminate between those in actual rebellion, and the friends of government; the latter having now an opportunity of manifesting their loyalty, and escaping the punishment in which the refractory

fractory colonists will be involved; that so far from parliament's giving up their right, they have it not in their power to surrender this right, if willing, nor do they even suspend it by this resolution, for the tendency of it is still to compel the Americans to provide what we, not they, think just and reasonable, and to convince the troops about to be sent over, that they are to fight on certain and definite grounds, and not on ambiguity, since the question now is reduced to this simple state, revenue or no revenue. The minister expressed his satisfaction with this explanation; adding, that although it was far from his expectation that the Americans would accept of these conditions, yet they would serve to unite the people of England, by holding out to them a distinct object of revenue.

The objections of opposition were of a very different kind from those made by the other party. They were far from considering it as tending to peace. On the contrary, it was contradictory, mean, and treacherous; and the only measure now wanting to widen the unhappy breach, and unite the whole colonies with a firmness not to be afterwards shaken. In the case of the tea act, administration maintained, that to this country it was only to be a duty of supply, and to the Americans a tax of regulation; the same contemptible cunning and prevarication was now repeated, for one side of the house was told it was a conciliatory bill, and the other, that it was a farther enforcement of rigid measures. Formerly ministry had made us believe, that the contest was for obedience to trade laws, and the general legislative authority, and not concerning revenue; but now they change their principles, and think that the manufacturers, and the nation at large, shall be en-
tirely

tirely satisfied, when they are told that it is not a
 contest for honour, or the dignity of parliament,
 but the acquisition of a substantial revenue: a very
 short time will be sufficient to shew how ineffec-
 tual this argument is; it is impossible it can carry
 conviction at home, and in America it will only add
 fresh fuel to the impending conflagration. The
 Americans will, by this bill, find themselves taxed
 in a manner more tyrannical than any other country
 whatever; no specific sum is demanded; and the
 same power that requires a share, may require a
 half, the whole, or more than they are worth. Is
 there not an absurdity in sending over fleets and
 armies, to keep the colonists prisoners till they
 shall offer to contribute to a service, the nature of
 which they cannot know; in a proportion, and on
 a standard, of which they neither can form a con-
 jecture, nor have received any information from
 parliament? If any of these offers does not seem
 sufficient, the matter must be sent back to America
 again, and a new offer may not perhaps arrive in
 sufficient time for that session or parliament which
 received the first, the consequence of which will
 be endless distraction and confusion. The op-
 position farther declared it as their opinion, that
 the Americans, so far from being disunited by this
 bill, would be connected together more firmly
 than ever, and would be ready to repel all our
 hostile attempts with force and indignation. A
 revenue from a free people must be the *conse-*
quence, not the *condition*, of peace. The question
 was carried by the usual majority, notwithstanding
 the friends of the minister having been at
 first in some degree startled at his motion. They
 were now either fully masters of it's meaning and
 tendency, or convinced that it was of a nature not
 definite enough to bind or restrain from the exer-
 cise

cise of former, or the proposal of future measures of coercion; for two hundred and seventy-four voted for the motion, and only eighty-eight against it.

While administration were thus triumphant in carrying measures of the highest importance, we are not to expect they would yield any point in matters of less moment: yet Mr. Sawbridge's annual motion for shortening the duration of parliament, although it admitted of no debate, was supported by a greater number than last year, an hundred and four being for, and an hundred and ninety-five being against it. Another annual motion, relative to the Middlesex election, was rejected by a majority of sixty-eight; nearly the same with that which had opposed it for some years. About this time, the American minister had written a letter to the lieutenant-governor of New York, which was supposed to contain matter of information worthy the consideration and attention of the house. It was accordingly called for, but peremptorily refused; and a negative put upon a motion for an address to his Majesty, that the paper might be laid before the house. Ministers said, they were the sole judges of what was proper to be laid before the house; they were then asked whether or not a petition and memorial, of an extraordinary nature, from the assembly of the island of Jamaica to the King in council, was among one of the papers which were *not* proper for the inspection of the house? To this it was answered, that the paper in question would have been laid before them; had it not been considered of trivial importance; but, to satisfy them, it should now be presented. In this petition, after professing the greatest loyalty to the mother country, they declare that the most dreadful calamities

mities to their island, and the inevitable destruction of the small sugar colonies, must follow in consequence of the present unnatural contest with the Americans, the rights of which colonies they endeavour to defend with powerful arguments. They deny that their ancestors, the settlers or conquerors of the colonies, could receive any rights or privileges from their fellow-subjects in England at the time of their emigration; the peers could not communicate their privileges, and the people had no rights but those of which the former were equally possessed; but the crown, whose prerogatives were totally independent of both, for the great purposes of colonization, communicated to all the colonies, though in a different degree, a liberal share of it's own royal powers of government. These powers, as well as their original rights and privileges, have been confirmed to them by every means which can be devised for affording security to mankind, charters, proclamation, proscription, compact, protection, and obedience. From these, and other premises, the petitioners declare that the colonists are not subjects to the people of England, and insist that they have their own rights of legislation. They deplore, and behold with amazement, a plan almost carried into execution, for reducing the colonies into the most abject state of slavery; and they demand and claim from the sovereign, as the guarantee of their just rights, that no laws should be forced upon them, injurious to their rights, as colonists, or Englishmen; and that, as the common parent of his people, his Majesty would become a mediator between his European and American subjects.—A petition was, at this time, presented from Waterford, in Ireland, setting forth the miseries they were about to suffer, and even already had felt, in a considerable degree,

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by being deprived of the only valuable branch of export which they are permitted to carry on with the colonies.

A bill was now brought in by the minister, "to restrain the trade and commerce of the colonies of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the British colonies in the West Indies, under certain conditions and limitations." On the second reading, a motion was carried for including in the bill, the counties of Newcastle, Kent, and Sussex, on Delaware, in North America, that there might be no ground of complaint of partiality.—All were culpable, and consequently all were punishable. The debates on this bill, during its whole course, had neither regularity nor novelty. Opposition expressed their fears lest a civil war should follow this unheard-of temerity and injustice; and the ministerial party, whatever they might allow to the Americans of merit in blustering, could never bring themselves to believe that they would put their threats into execution. A favourite object was now in view, and every consideration was to be sacrificed to it. Even temporary interest lost its weight when put in competition with the anxiety of parliament to preserve the dignity of the legislative authority. What else could have made them persist in overlooking the immense advantages this nation receives from the sugar islands, after being assured that the capital in these islands amounted to no less than sixty millions sterling? The exports to Great Britain of sugars and rum, were about 4,000,000*l.* annually, and these exports were in a state of rapid progression, having increased annually, for some years, in the quantity of forty thousand hogheads (800,000*l.*) There were not wanting proofs, besides, that more than

than one half of the sixty millions was either the immediate property, or was owing to persons resident in Great Britain; and that as this capital and trade, as well as the African, were dependent upon North America, the destruction of these islands must follow from an interruption to their trade, by a continuance of the present hostile measures in America.

An attempt of Mr. Burke deserves to be taken notice of. On March the 22d he introduced a set of conciliatory propositions, in an elegant and learned speech, which, as it is now in every body's hands, we will briefly abridge. Mr. Burke contended, that a complete knowledge of every circumstance pertaining to the colonies, their situation, resources, extent, numbers, population, commerce, and importance, was absolutely necessary, before we could venture to decide on the question of concession. A mode of reasoning, which might serve in the case of one country, might be very inapplicable to another; and neither the heated imagination, abstract ideas of right, or mere general theories of government, ought to be attended to in the government of America. After making honourable mention of their unconquerable spirit of freedom, and love of liberty, which he deduced from the nature of their descent, education, manners, religious principles, form of government, and distance from the original mover of government, he entered upon a detail of facts, upon which he wished to establish proper ideas of American government, suited to the received habits and opinions of the people; and without an attention to which, all schemes of government which had been or should be proposed, would prove ineffectual, dangerous, or ruinous. From these facts it plainly appeared, that the whole exports to

North America, the West Indies, and Africa, in the year 1704, amounted only in value to 569,930l. In the year 1772, neither the highest nor the lowest which might have been alluded to, the exports to the same places (including those from Scotland, which in 1704 had no existence) amounted to no less than 6,024,171l. being in proportion of nearly eleven to one. The export trade of England, including that to the colonies, amounted in 1704 to 6,509,000l. only, so that the trade to the colonies alone was, in 1772, within less than half a million of being equal to what this great commercial nation carried on, at the beginning of the present century, with the whole world. If the exports of this country be estimated at sixteen millions, that to the colonies, which in 1704 constituted only one-twelfth of the whole, was now more than one-third. In the case of Pennsylvania, the exports to that colony, in 1704, amounted only to 11,459l. and in 1772 were 507,909l. nearly fifty times the original demand, and almost equal to the whole colony exports in 1704. Mr. Burke next animadverted on the coercive system which had taken such hold on men's minds, the pernicious effects of which he explained, and endeavoured to convince the house, that the only method of governing the colonies with safety and advantage, was by admitting them to an interest in our constitution, and by recording that admission in the journals of parliament, to give them every possible assurance, that we meant for ever to adhere to that solemn declaration of systematic indulgence. In defending this position, he disclaimed all discussion on matter of right, or favour, and wished it to be considered solely as a matter of policy. Without enquiring whether they had a right to render their people miserable, he asked whether

it was not their interest to make them happy; and instead of taking the opinion of a lawyer on what they *might* do, Mr. Burke thought it more consistent with reason, humanity, justice, and true policy, to consult what they *ought* to do, in an emergency like the present; and instead of laying any plans on the chimeras of theory, recommended an attention to the ancient constitutional policy of this kingdom with regard to representation, as declared in acts of parliament, and such facts as had been acknowledged in the journals of the house. Of these he brought the instances of Ireland, Wales, and the counties palatine of Chester and Durham, to shew, that when the countries specified were admitted into an interest in the British constitution, not only their internal happiness was the consequence, but their union with, and obedience to the crown and supreme legislature. The manner of this admission into interest, he observed, might vary according to particular local circumstances. Where the districts could be taken into the constitution, they were united, as in the case of Wales, and the counties palatine; but where that was not the case, the constitution was sent to them, as in Ireland. Similar constitutions, accommodated to their respective circumstances, were given to the colonists, and every thing went on happily until the year 1763, when the first violation proved the commencement of the present confusion. The subjects of his first six resolutions were founded on the principles of our old policy. By them he meant to establish the equity and justice of a taxation of America, by *grant*, and not by imposition: to mark the legal competency of the colony assemblies for the support of their government in peace, and for public aids in time

of war: to acknowledge, that this legal competency has had a dutiful and beneficial exercise; and that experience has shewn the benefit of their grants, and the futility of parliamentary taxation as a method of supply. The remainder of the resolutions concerned the settlement of an independent judicature, the regulation of the court of admiralty, and the repeal of the late coercive acts of parliament. The debate began upon the following resolution, "That the colonies and plantations of Great Britain, in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament." The rejection of this served for the rejection of the whole. The majority, great as usual, said that these resolutions amounted to giving up the right of taxing, and that although the first was so artfully worded as to seem to contain only a matter of fact, it would be attended with consequences hurtful to the public good. After having frequently resolved not to admit the unconstitutional claims of America, they had no security for belief that the reversal of these resolutions would be attended with dutiful returns from the colonists. They urged the example of the House of Lords, who would not permit a plan somewhat of the same nature to lie on the table; and of the Commons, who had adopted one more nearly consistent with the supremacy of parliament. Pressed by danger, and for their own emolument, the Americans had, on former occasions, made provisions; but their assemblies never had a legal power of granting revenues to the crown. This
power

power was vested in parliament alone, and not communicable, as appears from this clause in the Bill of Rights, "that levying money for, or to the use of the crown, by pretence of prerogative, without grant of parliament, for a longer time, or in any other manner than the same is or shall be granted, is illegal." That in consequence of this clause, the exclusive right in parliament of taxing every part of the empire was settled beyond a doubt; and the minister who suffered the grant of any sort of revenue from the colonies to the crown, might and ought to be impeached. But they who supported the resolution, maintained that this clause in the Bill of Rights was calculated merely to restrain the prerogative from the raising of any money within the realm, without the consent of parliament; but denied that it interfered with the taxes levied, or grants passed by legal assemblies out of the kingdom, for the public service. When that law was made, the Irish grants were in existence, and taxes were levied in consequence of them; yet neither censure nor objection were offered against the practice. It has been said, that a distinction is to be established between the power of the subject to make grants in the two different cases of peace and war; but the power of granting in the time of war, in no way differs from the same power in the time of peace; nor does any passage in the Bill of Rights tend to establish such a difference.

Other notions of reconciliation, not coming from the side of administration, were rejected on the grounds which we have repeatedly gone over; and although opposition were not strong by numbers, their renewed expostulations with men in power seemed to be delivered with more energy, listened to with more composure, and encouraged

with more of the public support, than before. Their ardour increased, as danger approached; and inflexible as the ministry pretended to be, they received no little interruption from the frequent charges of cruelty and injustice within doors, and the reiterated endeavours of petitioners without. The petitions now became very general, and loud in their complaints of injured manufactures; and the weight and conviction they carried with the public was increased, not lessened, by the paltry artifices, which it was alledged were now practised in order to procure petitions expressive of the prosperity and security of trade. The city of London ventured again to breathe their fruitless requests, but as much in vain as ever. This cannot indeed be wondered at, since in this new petition (presented in April) they justified the resistance to which the Americans had been driven, upon those same principles of the constitution which actuated our ancestors, when they transferred the imperial crown of these realms to the House of Brunswick. They moreover beseech his Majesty to dismiss immediately, and for ever, from his councils, those ministers who had advised the obnoxious acts, as the first step towards a redress of those grievances which alarmed and afflicted the whole people. His Majesty answered the petition in the following words; "It is with the utmost astonishment that
" I find any of my subjects capable of encour-
" aging the rebellious disposition which unhap-
" pily exists in some of my colonies in North
" America. Having entire confidence in the
" wisdom of my parliament, the great council of
" the nation, I will steadily pursue those measures
" which they have recommended for the support
" of the constitutional rights of Great Britain,
" and

"and the protection of the commercial interests
"of my kingdoms."

It was now time for the minister to propose some advantages, in lieu of those which he had deprived the nation of by the abolition of the American fisheries. With this view he moved for a committee of the whole house, to consider of the encouragement proper to be given to the fisheries of Great Britain and Ireland. The grievances of Ireland demanded a particular attention, as that country had suffered them with a patience unexampled and unexpected. By including trade and commerce in this motion, some members wished to institute an enquiry into the state of Ireland at large; but in this they were opposed by Lord North, who was of opinion, that the field of enquiry, which would by this alteration be opened, would prove too large for the present opportunity. That his Lordship, however, might not appear adverse to the interests of Ireland, he procured two motions to be passed; by the one of which, it was declared lawful to export from Ireland cloaths and accoutrements for such regiments on the Irish establishment as were employed abroad; by the other, a bounty of five shillings per barrel was allowed on all flax-seed imported into Ireland. They were also allowed to export provisions, hooks, lines, nets, tools, and implements, for the purposes of fishery. The principal objection to these motions were, that they effected too little, and tended to prevent the employment of English capitals in Ireland. In the progress of this committee, bounties were granted to the ships of Great Britain and Ireland for their encouragement in prosecuting the Newfoundland fishery, and for encouraging the whale fishery, in those seas that were to the southward of the

Greenland and Davis's Screights fisheries. The several duties upon the importation of oil, blubber, and bone, from Newfoundland, and on the importation of seal skins, were at the same time taken off.

The remainder of this session was employed in the rejection of a variety of petitions from the colonists, or those who had their interest most at heart. A remonstrance and representation of the general assembly of the colony of New York, to the parliament, was introduced by Mr. Burke, who moved that it should be brought up. He said, the decent and respectful language in which they conveyed their sentiments, carried with it some claim on parliamentary attention. Every opinion contained in the paper, he granted, might not be incontrovertible; but such was the manner in which their complaints were urged, that he could not help looking on this as a very favourable opportunity for amicably ending our differences with America. The rejection of this motion was followed by that of another, owing to similar circumstances, in the House of Lords; and that by a petition from the British inhabitants of the province of Quebec, presented by Lord Camden. The extension of the limits of Quebec, the establishment of popery, and the common complaints of despotism, formed the material part of this latter petition. The debates on it were long and violent, but, on the side of opposition, very ineffectual; the numbers being eighty-eight who opposed it, to twenty-eight Lords only who supported it: among the minority were their Royal Highnesses of Cumberland and Gloucester. The principles of defence and opposition were the same which we have repeatedly taken notice of; cruelty and injustice were opposed to parliamentary

mentary right and dignity, and the fears of danger from civil war sacrificed to the future advantages from a system of coercion. It was in particular denied that the Canadians had, or even pretended to have, cause of uneasiness; as an address was presented by them to General Carleton, the governor, upon his arrival in that province, and another to the King, in which they expressed their thanks and gratitude for being restored to their ancient rights and privileges; it was at the same time maintained, that the number of the present petitioners bore no proportion to the number of them who were satisfied with what had been done. These last addresses were obstinately combated, and doubts of the manner in which such addresses had been procured were not a little strengthened, when soon after the inhabitants of Quebec presented another petition to the House of Commons: by this it appeared, that a petition to his Majesty, in the name of all the French inhabitants of that province, and upon which the late law had been avowedly founded, was neither fairly obtained, nor had received the concurrence of, nor indeed had been communicated to the people in general; on the contrary, it had been carried about in a secret manner, and signed by a few of the noblesse, advocates, and others who were in their confidence, through the suggestions, and under the influence, of the clergy; and that the inhabitants in general, the French freeholders, merchants, and traders, were as much alarmed as themselves, at the introduction of the Canadian laws. A majority of more than two to one rejected this petition likewise; and the minister not only avowed an intention to arm the Canadians against the other colonies, but even endeavoured

deavoured to inspire the public with hopes, that matters in America would soon be settled without bloodshed, or the confirmation of those doubts of horror with which gentlemen in opposition had endeavoured to prepossess the house.

Thus ended the session; in which every step towards the favourite system of coercion seemed to receive an almost universal approbation; and in the speech, his Majesty expressed the most perfect satisfaction in their conduct. They had maintained, with a firm and steady resolution, the inseparable rights of the crown, and the authority of parliament; they had projected and promoted the commercial interest of these kingdoms, and had given convincing proofs of their readiness (as far as the constitution would allow them) to gratify the wishes, and remove the apprehensions, of the subjects in America; and a persuasion was entertained, that the most salutary effects must, in the end, result from measures formed and conducted on such principles. His Majesty expressed much concern, that the unhappy disturbances in some of the colonies had occasioned an augmentation of the land forces, and prevented the intended reduction of the naval establishment from being completed. Great thanks were returned for the cheerfulness and public spirit with which they had granted the supplies. A favourable representation was made of the pacific disposition of other powers, and the usual assurance given of endeavouring to secure the public tranquillity. The speech concluded with a recommendation to preserve and cultivate, in their several counties, the same regard for public order, and the same discernment of their true interests, which have in these times distinguished the character of his Majesty's faithful

ful and beloved people ; and the continuation of which cannot fail to render them happy at home, and respected abroad.

During the whole of this tedious session, ministry proposed and carried their measures with a determination that could arise from nothing but the strongest conviction of their expediency, yet that conviction wanted a proper foundation. Reason opposed it, law afforded no sanction, and experience no precedent. The most leading maxim was, that desperate diseases require desperate remedies ; but analogy is as dangerous in politics as it is in morality. The disease was *not* desperate ; many openings for reconciliation were left, notwithstanding the violence of appearances ; and their obstinate resistance to every proposal of this nature, was neither considered as an error of the understanding, nor as proceeding from a defect of judgment, but from an unshaken resolution to persist in a system of government hastily conceived, and already attended with the worst consequences. In proportion to their progress in this system was the strength of their determinations, and the same imaginations which dictated *it may be*, by an easy transition changed their language into *it must be*. Without doors, opinion was so greatly diversified, that it is impossible to recount its variations. The bulk of the people were not adverse to asserting the supremacy of Great Britain, and could not enter very deeply into speculations such as amused the minister's friends. But what affects trade speaks more forcibly than any other consideration. Many, whose voice had formerly been with that of the ministry for coercion, now quitted the idea, seeing that their interest was most intimately interwoven with that of America ; yet there remained a majority who imbibed the grand
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and lofty ideas of crushing the rebellious colonists, and the thinking few only entertained the fears so often and so emphatically expressed by the opposition in parliament; and the events which took place during the parliament, confirmed the suspicions of the wary, increased the number of the discontented, and convinced all parties that they had now to struggle with the miseries of a civil war.

The general congress in America perceiving that coercive and violent measures were to be still pursued, urged a spirited and unanimous resistance. Their opinions and edicts had the force of laws, for they were issued amongst a willing people. The very differences of professional employment were done away by an uniform labour in the common cause. Their only remaining hopes rested on the success of their petition to the throne, and the address to the people of England; but these hopes were not so sanguine as to produce inattention to the main business of preparation for the day of calamity. The southern, as well as the northern colonies, began to arm, and finding that, by proclamation, issued in England, the exportation of arms and ammunition to America had been prohibited, manufactures of these stores were immediately established, and by mutual encouragement many unavoidable difficulties were in a great measure obviated. The town of Boston was, at this time, in a very distressed situation, and the governor and council not a little puzzled how to act. After the resolution of the general congress in November, some of the friends of government attempted to collect their strength; but it was inconsiderable enough to shew that any future attempt of a like nature might not be attended with safety, much less success. At Rhode-island, the people

people made themselves masters of above forty pieces of cannon belonging to the crown; and when a captain of a man of war, lying there, enquired of the governor the meaning of this proceeding, it was answered that the people had seized the ordnance, in order to use them for their own defence, and prevent their falling into the hands of the King's forces. In this they were followed by the inhabitants of New Hampshire; a body of whom, armed, attacked a small fort, and took it with ease, and with it a great quantity of powder. In both these provinces, and in Maryland and Virginia, they passed resolutions for the procuring of warlike necessaries; declaring that they would look on it as their duty to use these in a vigorous resistance, if the hopes of redress, which, however faint, they were still willing to entertain, should end in disappointment.

About January, 1775, the assembly of New York drew up remonstrances, which Mr. Burke presented, the success of which we have already seen. Soon after, the new provincial congress met at Cambridge, in Massachusetts-bay: their first business consisted in passing additional resolutions relative to the preparation of ammunition; as the accounts from England seemed to bode no good to the colonies, and as the King's speech, and what of the conduct of the new parliament had been known, chilled every hope of accommodation. The *minute-men*, a kind of militia, were exhorted to train themselves in all military discipline, and be ready for actual service, on the shortest notice. Preparations, accordingly, were made with incredible speed, nor in the smallest degree interrupted by a letter from the American secretary of state, which prohibited the establishment of the ensuing general congress. What could not be effected by threats

threats was soon after attempted to be accomplished by force; and if the proclamations of the governor, and the resolution of the council, should not be attended to, General Gage determined to oppose their proceedings as much as possible by the strength in his hands. Hearing that some cannon were deposited in the town of Salem, he sent a detachment of troops, under the command of a field officer, on board a transport, in order to seize upon them, and bring them to Boston. The cannon were not to be found; but thinking they had been removed on the news of this expedition, the detachment marched into the country, in order to search for them. When they came to a draw-bridge over a small river, they were opposed by a number of the country people; but by timely interposition this dispute ended without bloodshed, and the expedition without success. The spirit of resentment, which manifested itself on both sides, was a proof that the most direful extremities could not be far off: nor were they; for the colonists having collected a quantity of military stores at the town of Concord, General Gage dispatched a large body of troops, in order to destroy them, and, as some reported, to seize on the two most obnoxious of the American leaders, Hancock and Adams. Notwithstanding every precaution of secrecy, the troops found that the country had been alarmed, and that the company of the militia belonging to the town were now assembled on a plain near the road. Major Pitcairn, an officer in the King's troops, called out to them, "Disperse, you rebels! throw down your arms, and disperse!" Loud huzzaing ensued, and at last a general fire; by which eight of the militia were killed, and several wounded. The commanding officer proceeded

ceeded to Concord, after dispatching six companies of light infantry to possess two bridges beyond the town. This was easily effected. The main body having entered the town, executed their commission by destroying what ammunition they could find. The militia, after this, attempted to repass by one of the bridges, which the King's troops had possessed themselves of; here meeting with resistance, and having received the fire of the troops, they endeavoured to return it, but were soon obliged to retreat, with the loss of several killed, and some taken. The troops, however, were molested throughout the whole day by frequent attacks from the country people, now in anger, and in arms; and would have been probably cut off entirely, if they had not been reinforced by Lord Percy, with sixteen companies of foot, a detachment of marines, and two pieces of cannon, who arrived at Lexington by the time that Colonel Smith had returned from Concord. Not intimidated by this, the provincials continued their attacks, and the loss on both sides was very considerable. The troops setting out together, arrived at Charlestown about sun-set, after a fatiguing march of thirty-three miles. Although the field-pieces kept the provincials much at a distance, the loss on the part of the King's troops is said to have amounted to sixty-five killed, and more than two hundred wounded and taken prisoners. The provincials gave out that they lost no more than sixty, two thirds of which number were killed.

These engagements produced mutual recrimination, and it was greatly doubtful who gave the provocation in the first skirmish. However that may be, bloodshed was the unavoidable consequence of previous animosity, and they who wish

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to know the blameable cause, must trace it to a higher source than the conduct either of the King's troops or the provincials, on this memorable day. The news of it spread with incredible speed, and the militia which surrounded Boston are said to have amounted to twenty thousand men, under the command of Colonels Putnam, Ward, Pribble, Heath, Prescott, and Thomas. A line of encampment was formed round their head-quarters at Cambridge, and strengthened with artillery. The congress drew up an address to the inhabitants of Great Britain, laying the blame of the late hostilities upon the regulars, and declaring that death or freedom are their only alternatives. To defray the expences of an army establishment, paper currency was issued; and a resolution passed, that as General Gage had disqualified himself from serving as governor, he ought to be regarded as an enemy, to whom no obedience was due. Lord North's conciliatory plan was every where rejected, the conduct of the militia in the late actions highly applauded, ammunition and money seized upon where possible, and the most implicit obedience given to the rules laid down by congress. In consequence of such orders, the governor and forces at Boston began to experience the disadvantages of being shut out from all supplies of fresh provisions. The provincials having often requested permission to leave the town, or at least remove the women and children, the governor consented to grant this, provided they would lay down their arms; but as soon as they had agreed to his terms, he refused to fulfil the conditions on his own part. The few that were permitted to depart afterwards, were obliged to leave their effects behind them, by which means they were reduced from affluence to beggary. Irritated



ritated by this usage, the continental congress confirmed their former resolutions, and prohibited all exportation or commerce with such places as were still favourers of the British government. The city and province of New York hesitated no longer to join with the other colonies in all their proceedings, and a body of men from Connecticut were detached for it's protection. The congress advised them to act with caution, and give no disturbance to the King's troops, unless they should attempt to erect any fortifications, or cut off the communication between the city and country. These troops, however, did not land at New York, as was expected. Mean time a small handful of men formed a design of surprizing Ticonderoga, Crown Point, and other fortresses, situated upon the great lakes, and commanding the passes between the British colonies and Canada. In this expedition they were assisted by a few others; and the whole body, amounting only to two hundred and forty men, accomplished their purpose. The fortresses were taken without the loss of a man on either side, as were two vessels; by which manœuvre they commanded Lake Champlain, and were in possession of materials, ready prepared, at Ticonderoga, for building and equipping of other vessels. Near the end of May, the Generals Howe, Burgoyne, and Clinton arrived at Boston, together with a considerable number of marines, and draughts from the other regiments, to supply the vacancies there. These, with several regiments from Ireland, reinforced the King's army in a very considerable degree, and served to deprive the colonists of what little hopes of reconciliation some of them had still cherished. Their continental congress, having passed a resolution that the compact between the crown and the in-

habitants of Massachusset's-bay, was dissolved by the violation of the charter of William and Mary, recommended to the people of that province to proceed to the establishment of a new government, according to the terms contained in their charter. It was at the same time resolved, that no bills or draughts should be negotiated with the officers of the army, nor any necessaries disposed of to the army or navy, or transports. They appointed Dr. Franklin to be post-master at Philadelphia, where they erected a general post-office.

As a prelude to the fatal encounter at Bunker's-hill, General Gage offered, by proclamation, the King's pardon to all who should lay down their arms, and all who did not should be considered as rebels. Adams and Hancock were excepted; nothing less than condign punishment awaited them: but the colonists placed too much confidence in the latter, to regard this proclamation as any other than a declaration of war. Hancock was elected president of the continental congress; and a body of men being sent to Charlestown at night, with orders to throw up works upon Bunker's-hill, an high ground lying within the isthmus, by some mistake they made choice of Breed's-hill, near the former; but the battle has generally been denominated from Bunker's-hill. Here they effected their purpose with so much art, that in the morning the ships of war were surprized to see a small but strong redoubt, considerable intrenchments, and a breast-work, (in some parts cannon-proof,) all nearly compleated in the space of one night. The ships, floating batteries, and cannon from the top of Cop's-hill, in Boston, continued firing upon them; but, as is said, the provincials persisted in their labour with

with the greatest patience, until interrupted by another cause. About noon on the same day, General Howe, with near two thousand men, was sent from Boston to drive the provincials from their works. These troops advanced under the fire of the cannon, but were not a little intimidated by the appearance of the provincials; who, by throwing some men into the houses of Charlestown, which covered their right flank, kept the English general, Pigot, who commanded the left wing, engaged with the lines, and with those in the houses, at the same time. They did not, however, return a single shot, until the King's forces had approached almost to the works, when the firing became at once heavy and fatal to our troops. General Howe was left, for some seconds, nearly alone, most of the officers about his person being killed or disabled, and the event of the battle seemed very doubtful; when General Clinton, arriving from Boston, had the address to rally the troops, and, after considerable difficulties, drove the provincials from their works. During the engagement, by some accident Charlestown was set on fire in various places, and totally consumed. Of the King's troops not less than 1100 were killed or wounded; of these eighty-nine were commissioned officers, including a lieutenant colonel (Abercromby), Majors Pitcairne and Williams, and seven captains. The loss of the provincials is said to have been only 450 killed, wounded, missing, and prisoners: among the first was Dr. Warren, who acted as a major general, a man of great professional merit, and, as this day's action shewed, of great personal bravery. Upon the whole, much spirit and courage were displayed on both sides; but the loss of so many gallant officers, and the destruction of Charlestown,

checked the exultation of the British troops; while the provincials derived a portion of satisfaction from reflecting, that their enemies would now be convinced that they had not to fight with a rabble of cowards, ready to take to their heels on the sight of a red coat; and that a single regiment, as had been alledged, was not capable of marching over the continent. Immediately after this action, they threw up works upon another hill, opposite to Bunker's-hill, on their side of Charlestown-neck; so that the King's troops were as closely invested in that peninsula as they had been in Boston. In the progress of their fortifications they were much disturbed by the cannon from the neighbouring batteries, but every instance of resistance produced a fresh one of perseverance. Several skirmishes ensued, and a contest often happened between ships of war and the country people, who refused to supply the ships with provisions.

The King's troops, by fortifying Bunker's-hill, and the entrance, were now burdened with the maintenance of two garrisons. The severe duty in consequence of this, the want of provisions, contempt of the inhabitants, and the diseases incident to troops in confined places, were inconveniences greatly complained of. A regiment of light cavalry from Ireland increased these complaints, by increasing the wants which gave rise to them. The friends of government were, at the same time, greatly disconcerted at the behaviour of the French Canadians, on whose alliance and assistance they had placed firm confidence. General Carleton, Governor of Canada, endeavoured, but to no purpose, to raise an army, in order to reinforce General Gage. The people said, that although, as British subjects, and as not perfectly

perfectly understanding the nature of the present differences, they thought it to be their duty to maintain a peaceable demeanour, yet they judged it inconsistent to interfere in the contests that might arise between Britain and it's ancient subjects. No persuasion, no menaces of the governor, or any of the men in power, could prevail upon them to act against the English colonists; and some attempts to involve the Indians and colonists in a contest proved equally abortive, and, like all unfair schemes, returned to plague the inventors. These attempts were bitterly complained of in a declaration from the general congress, drawn up in July, the tendency of which was to explain the nature of their injuries, and from these deduce the necessity for taking up arms. In this they impute the burning of Charlestown to the English army, and reproach General Gage for the many hostile acts he had committed against them. The declaration, upon the whole, is written with a considerable degree of eloquence, and the facts are decorated with becoming and interesting language. A cold inanimate detail would have ill suited the dispositions of them to whom it was to be read. It was necessary not only to appeal to the understanding and memory, but likewise to improve that sensibility which their injuries had occasioned, and preserve a spirit of resistance and freedom, which in many might have been transitory. "Our internal resources," say they, "are great; and if necessary, *foreign assistance is undoubtedly attainable.* We gratefully acknowledge, as signal instances of the divine favour, that we were not called into this severe controversy, until we were grown up to our present strength, had been previously exercised in warlike operations, and possessed of the means of defend-

ing ourselves.—Left this declaration should disquiet the minds of our friends and fellow-subjects in any part of the empire, we assure them, that we mean not to dissolve that union which has so long and so happily subsisted between us, and which we sincerely wish to see restored. Necessity has not yet driven us into that desperate measure, or induced us to excite any other nation to war against them. We have not raised armies with ambitious designs of separating from Great Britain, and establishing independent states. We fight not for glory or for conquest.”—This remonstrance was followed by an address to the inhabitants of Great Britain, another to the people of Ireland, and a petition to the King, executed in the same stile, and containing similar sentiments.

In the beginning of July, the colony of Georgia agreed to join their brethren, accounting their own exemption from the oppressive measures rather as a matter of insidious policy, than as favour. After addressing the King in a petition, they appointed five delegates from their provincial congress to attend the general congress, now entitled the General Congress of the Thirteen United Colonies. George Washington, Esq. was appointed general and commander in chief of all the American forces. Nothing could have been more fortunate for them than this choice; to military experience acquired in the last war, he joined a degree of prudence beyond his years, and an attachment to the interest of the colonies which no untoward incident has ever been able to shake. Messrs. Ward, Lee, Schuyler, and Putnam, were appointed to be major generals, and Horatio Gates, Esq. adjutant general. Lee and Gates were Englishmen, who had served in the last provincial

vincial war, and had won laurels under the British banner, but who now judged it proper to join the Americans. General Washington and General Lee arrived at the camp before Boston, in the beginning of July. Every mark of regard was bestowed on them, and a spirit of warlike preparation diffused itself over the country; even the tame disposition, and principled forbearance, of the Quakers, yielded to martial ardour, and the cause of liberty. Notwithstanding that some ventured to hope for reconciliation, a secret conviction that this was impracticable guided all their proceedings. Provision was made for the pay of the army; and the pay of the common soldiers being more advantageous than that of the English, together with the contrasted appearance of the King's troops, loaded with universal hatred, with the provincial, flattered with universal kindness, was a circumstance not easily resisted, and every succeeding day fresh recruits, some men of property and reputation, poured in in great numbers.

The war (for such it now was called) had hitherto been carried on by defensive measures only on the part of the Americans, but this was no longer to be the case. The extensive powers granted to the governors, and which amounted to a declaration of war, rendered it expedient that more effectual provision against the approaching days of calamity should be made. The allegiance of the colonies was no more. Their unprovoked injuries had destroyed it, and every addition of military force from England removed the thoughts of reconciliation farther and farther. Many meetings and consultations were held; the result of all was, that their safety required the most spirited exertion of the powers with which the people had

invested them, and which would prove less than nothing, if allowed to decay, or remain inactive. They had too long been lookers-on; and no law of nature, or tie of duty, required that they should be so any longer. In this temper, it was projected to send a force for the invasion and reduction of Canada. Great hopes were formed from the disposition of the French inhabitants; who, although they had professed themselves unwilling to take any active part in the contest, might easily be awakened to a sense of their own danger, by a representation of the connection between their interest and that of the other colonies. The jealousy of freedom did not admit of a neutrality. Generals Montgomery and Schuyler, with a force consisting of nearly three thousand men, were appointed to conduct the expedition. The opportunity was now favourable, as the British troops were confined to Boston, and in a weakly condition; yet the enterprize was not without it's difficulties. Scarcely had half the forces assembled at Crown Point, when Montgomery received such intelligence, as to give reason for suspicion that their passage along Lake Champlain would be obstructed by armed ships then lying at the fort of St. John's. With what force he had, he removed to the isle Aux Noix, which lies in the entrance of the river Sorel. Schuyler pushed on to St. John's, but was obliged to land his troops at a considerable distance, owing to the firing from the fort. This, with the resistance made by the Indians, and the disadvantageous ground which they had occupied, determined Schuyler to return to his former station on the island. He then returned to Albany; and being prevented by sickness, and some engagements of importance, the command of the whole devolved on Montgomery;

gomery; who, reinforced by his troops, with the artillery, prepared to attack Fort St. John; which, from his want of proper stores for a siege, appeared to have a decided superiority over him. By taking a small fort, however, called Chamble, which lay deeper in the country, he got possession of every requisite for his purpose, and particularly a great quantity of gunpowder. Thus prepared, he began the siege of Fort St. John. In the mean time the provincial troops received every possible assistance and encouragement from the Canadians; who not only supplied them with what necessaries the island afforded, but joined them in great numbers. A rash and unfortunate expedition was undertaken, without the knowledge of the commander in chief, by one Ethan Allen; who, uncommissioned by any American power, wished to signalize himself by surprizing the town of Montreal: in this attempt he was taken prisoner, with nearly forty of his party; the rest escaped into the woods.

The garrison of St. John's amounted to near seven hundred men, almost the whole regular troops in Canada. They suffered much during a very tedious siege, and displayed great firmness and constancy. General Carleton and Colonel M'Lean endeavoured to raise troops, in order to relieve the fort; but the general, in passing over from the island of Montreal, was encountered by a party of provincials, and obliged to abandon his design. Nor was Colonel M'Lean more successful; for being pushed by the provincials towards the mouth of the Sorel, the news of the general's defeat arrived, and operated so strongly on the minds of his followers, that they all left him, except a few Scotch emigrants, whom he prevailed upon to accompany him. Encouraged by this success

success of the provincial arms, Montgomery proposed to Major Preston, who commanded at St. John's, that he should capitulate, as he could now have no hopes of relief. After some hesitation, and the refusal of a request that the garrison might be allowed to depart for England, this was agreed to, and, on November the 3d, the garrison surrendered themselves prisoners. The officers were well treated, and the privates disposed of in those interior parts of the colonies which were best adapted to their security. The defence of the fort was brave, and the conduct of Montgomery acknowledged to be befitting an officer in his circumstances.

The party, who had put to flight Colonel M'Lean, immediately erected batteries on a point of land at the junction of the Sorel with the river St. Lawrence, in order to intercept the armed vessels which General Carleton had at Montreal. The purpose was answered; the general's armament could not go to Quebec, being repulsed in a variety of attempts. This was followed by Montgomery's entrance into Montreal. A capitulation had been proposed by the principal French and English inhabitants, which he refused, but assured them, that they should be continued in the peaceable possession of their property, and in the free exercise of their religion. He hoped "that the civil and religious rights of all the Canadians would be established upon the most permanent footing by a provincial congress; and promised that courts of justice should be speedily established upon the most liberal plan, conformable to the British constitution." General Carleton's situation became now so critical, that he thought it expedient to repair instantly to Quebec, at which he arrived in safety, but found it environed

environed by a danger which he did not foresee. The whole naval force in the river had fallen into the hands of the provincials, consisting of eleven armed vessels, and with them General Prescott, with some other officers, and a considerable body of troops, were made prisoners of war.

At this time the city of Quebec was in a very defenceless situation. Great discontents prevailed, and the rejection of their petitions against the Quebec act raised a degree of dissatisfaction, which the Americans conceived might be made favourable to their interest. The capture of this city was an object of the first importance, yet obviated by difficulties that would have damped the spirits of men less animated by a sense of private as well as public danger. Colonel Arnold undertook the expedition about the middle of September, at the head of a body of men not exceeding 1100. His route had been deemed impracticable; and in the course of a tedious progress, both by land and water, his troops encountered so many hardships, that, on his arrival in the inhabited parts of Canada, partly by sickness, and partly by desertion, the force was reduced to about one-third of the number which had left Boston. The Canadians, in this part of the province, received them with the same demonstrations of encouragement as they had met with in Montreal; and when Colonel Arnold and his party appeared at Point Levi, opposite to the town, they supplied them with canoes, by which means they passed the river, notwithstanding considerable opposition from the armed vessels. But as the inhabitants, both French and English, had been embodied for the common defence, Arnold was surprized with a difficulty which he did not foresee, and was therefore obliged to wait till the arrival of Montgomery,

mery, as he had no artillery, and the flags which he sent had been fired at. That officer, however, was not without his distresses; nothing but the attachment which his army bore to him could have kept them together. They were only enlisted for a certain time, and that time had nearly expired before they could be trained for service; a service for which most of them were very ill fitted by the habits of their professional employments, and of which the dangers began to multiply. The arrival of General Carleton, at Quebec, was a fortunate circumstance; although the force which he mustered, and the preparations he made, were totally inadequate for the purpose of defending the fort.—Montgomery, as soon as he arrived, wrote a letter to the governor, giving an exaggerated account of his strength, and recommending a surrender to prevent the bloodshed that would inevitably follow farther resistance. This had not the desired effect; and finding his attempts by bombardment, and a six-gun battery which he opened at about seven hundred yards distance from the walls, made little or no impression, he determined to achieve the much-wished victory by escalade. The garrison, by some means, came to the knowledge of his design, and prepared to meet it. Indeed, during the whole siege, and every disadvantage from an inclement winter, the contest seemed to be who should shew the firmest attachment to their commanders, and the greatest bravery in attack and defence. Fortune declared for the garrison. After some trifling advantages, the brave Montgomery fell a sacrifice to his bold daring; his party retreated with great loss: those under Arnold, having gained considerable ground, were surrounded by numbers, and taken prisoners, Arnold himself being wounded, had been carried off

off to the camp: this was removed to a greater distance from the city, and fortified in the best manner possible. The provincial forces were said to be reduced to seven hundred men; with these Arnold contrived to blockade the town, and obstruct the arrival of provisions.

Thus ended the unfortunate enterprize against Quebec. Whether we consider the excess of cold which attends a Canada winter, or the difficulties from weakness which both armies had to encounter, it is hard to say to which the greatest praise is due. Montgomery fell with universal regret; even they who censured his conduct, lamented the fate of this unhappy day with that tender pity which humanity has ever in readiness to grace the exit of a brave man, and separate from his memory the objection of his failings. He was interred in Quebec with military honours; a circumstance which reflects honour on the victors, flushed as they were with success, and scarcely recovered from that irritation of mind which invigorated them while they killed, wounded, and took prisoners, about one-half of the American forces.

Leaving the affairs of Canada, we come now to speak of those of Virginia. This colony had as yet been restrained from open hostilities, when a very trifling occurrence, rendered important, however, by concurring circumstances, involved the inhabitants in the same miseries as their brethren. In consequence of some regulations for raising the militia, the governor began to entertain apprehensions, and caused the powder which had lain in Williamsburgh, the capital city, to be removed from the magazine on board of a ship in James River. The people were greatly offended at this, and it was with the utmost difficulty that they

they were prevented from committing immediate outrages. The governor assured them that the powder should be returned in case of any insurrection among the slaves, which they pretended to dread. Their behaviour, however, gave him much uneasiness; and whether from any expressions of his, or other means, the inhabitants began to entertain suspicions lest the slaves should be emancipated, and armed against their masters. In every meeting they reprobated the governor's conduct, and in a short time the discontent became general. The governor endeavoured to fortify his palace, and as some insurgents had obliged the receiver general to give security for the payment of the value of the powder, he published a proclamation, charging them with rebellious practices in so doing. The people on this declared their resolutions with freedom; and what little quiet had been among them was now sacrificed to those interests which they valued as their lives, and that spirit which prevailed in the other colonies, and which local circumstances only hitherto had prevented from being general. About June, the governor laid before the general assembly Lord North's conciliatory proposals, which he endeavoured to enforce with every possible argument, and by holding forth every possible inducement, from the considerations of peace and amity with the mother country. Without waiting for the issue of their deliberations, however, he judged it prudent to retire privately, with his family, on board the Fowey man of war, which then lay near York-town, on the river of the same name. He signified the motives which led to this step in a message to the house of burgesses; who expressed the greatest surprize that he should entertain such ideas of danger, which they were well persuaded could

could not be founded on facts, and intreated his return, as the likeliest method to prevent that increase of dissatisfaction which would fill the minds of the people, on the news of his clandestine removal. The governor (Lord Dunmore), in his answer, not only declared his fears to be well-founded, but even laid no little of the blame on some members of the house of burgesses, who had countenanced the violent and disorderly proceedings of the people. The people of the town and neighbourhood had, a few days before the governor's departure, broke into the magazine, and carried off part of the arms: this was done in the presence of some of the members of the house of burgesses; who, instead of committing the persons guilty of an offence so daring, contented themselves with procuring a restitution of a few of the arms. Besides, the house of burgesses, or its committee, had appointed guards without his consent, who, under pretence of protecting the magazine, were about to usurp the executive power, and subvert the constitution. In their letter to him, they promised every requisite security. To this his Lordship answered, that no security could be given, unless by reinstating him in the full powers of his office, by opening the courts of justice, restoring the energy of the laws, and disarming all who had embodied themselves in an illegal manner. To this letter the house of burgesses replied at great length, and in a stile of recrimination, imputed the disturbances in the colony entirely to the affair of removing the powder, begged his Lordship to consider the very flourishing appearance of Virginia for many years back, and whether he had not been deceived when he misrepresented their spirit and behaviour, as he had done, to the minister in England. As to the proposals

posals made by Lord North, they made the same objections to them that the other colonies had done, and concluded a very long address on the subject with these words:—"We have exhausted every mode of application, which our invention could suggest, as proper and promising. We have decently remonstrated with parliament; they have added new injuries to the old. We have wearied our King with supplications; he has not deigned to answer us. We have appealed to the native honour and justice of the British nation; their efforts in our favour have hitherto been ineffectual."

After this a variety of messages, letters, addresses, and answers, passed between the burgesses and Lord Dunmore. No intreaties could prevail upon him to set his foot on land again; and when the burgesses pledged their honour, and every thing sacred, for his security, and begged him to visit them, in order to pass the bills of the session, and dismiss the assembly for the season, his Lordship maintained the same inflexibility of opinion relative to his personal safety, but added, that he would be ready to receive the house on the following Monday, at his present residence, and would then give his assent to such bills as he might approve of.—But as the burgesses were not without suspicion, that, if they complied with this injunction, their danger might probably be as great as his Lordship's, they passed resolutions, in which they declared, that the message, requiring them to attend the governor on board of a ship of war, was a high breach of their rights and privileges; that the unreasonable delays thrown in the way of their proceedings, and other circumstances, gave them reason to fear for the unhappy people of that colony; and with all due loyalty

loyalty to the King, and friendship to the mother country, they judged it prudent to prepare for the preservation of their property, and their inestimable rights and liberties. Accordingly, having broken up the session, the business of the colony was vested in the hands of a convention of delegates. The defence of the colony by an armed force was the principal object; and, to convince the world that this step was dictated by sorrowful necessity, they issued a declaration in justification of their conduct. As it contains the same sentiments which the other colonies expressed, an abridgment is not necessary. After passing it, however, we are to consider the government in Virginia as no longer English, or, to use the parliamentary expression, we are to consider Virginia as leagued in rebellion with the other provinces.

Lord Dunmore, in the mean time, was very active in collecting a marine force, in which he was joined by such friends of the government as did not think it safe to continue on shore. Open hostilities were now at hand. Bodies of troops being sent from the ships to plunder, to destroy military stores, and carry off provisions, the Virginians sent detachments of their new-raised forces to oppose such encroachments. Many lost their lives in these engagements, who, as they fought not for the legitimate objects of war, died without the honours of it. An attempt was made by some ships to burn Hampton, a port town of some consequence; but the inhabitants, whether from suspicion or information, were so well prepared to meet them, and so seasonably reinforced by a detachment from Williamsburgh, that the ships were obliged to retreat with the loss of some men, and a tender, which was taken. The governor now proclaimed martial law, requiring all persons ca-

pable of bearing arms to repair to his Majesty's standard, or be considered as traitors. He also declared all indented servants, negroes, or others, appertaining to rebels, who were able and willing to join his Majesty's forces, to be free. It may easily be conceived that the utmost consternation would be the consequence of the emancipation of the slaves. Some hundreds, both of whites and blacks, joined Lord Dunmore, who now appeared at the head of a considerable *number* of men; but he soon found that the good effects of his proclamation were sadly disproportioned to the irritation it produced. Posting himself at the great bridge near Norfolk, a pass of some consequence, he constructed a fort, which guarded the avenues to the town. The enemy marched towards them with great expedition, and, under the command of Colonel Woodford, secured themselves from surprize by a fortification erected within cannon-shot of the others. A desperate attempt to surprize the rebels in their intrenchments was made by Captain Fordyce, at the head of only about sixty grenadiers. The intrepidity of this little corps was astonishing, but ill-advised; for after the captain, with several of his men, had been killed, the rest were taken prisoners, and most of them wounded. The victors testified their admiration of Captain Fordyce's bravery, by interring his body with military honours. The prisoners were well treated, excepting those who had deserted from the Americans. In consequence of this disaster, Lord Dunmore retired again to his ships, which now were overloaded with people unfit to manage them, and unserviceable in any of the departments of the military profession. The rebels having got possession of some cannon and stores, entered Norfolk, from

from which the fleet removed to a greater distance.

Nor were other attempts to assist Lord Dunmore, by raising troops, more successful. Some suspicious persons being apprehended by the Americans, it appeared that a design had been in agitation to bring together a considerable force on the back of the colonies, particularly in Virginia and the Carolinas: a negociation was likewise carried on with the Ohio Indians, and the accomplishment of this important project seemed secure, when the seizure of these persons in the road through Maryland, discovered the whole business to the congress, who published the papers found in their custody, and sent the adventurers to prison. This discovery was productive of an irritation of mind which shewed itself in marks of severe retaliation, for retaliation it is but too natural to expect from men situated as the Americans now were. The destruction of the town of Norfolk was much reprobated, as a cruel and unjustifiable step. The Liverpool man of war, on it's arrival from England, sent a flag on shore, to know whether the inhabitants would supply his Majesty's ships with provisions: this being denied, notice was given, that it was determined to destroy the town; and the first day of the new year is rendered memorable by the execution of this determination. After a violent cannonade from the Liverpool frigate, two sloops of war, and the governor's ship, for some hours, the whole town was reduced to ashes. Some say, the design was to have destroyed that part of the town next the water; but who shall set limits to a conflagration of this nature? Besides a few lives lost on the occasion, the loss of property was computed at 300,000*l*.

A variety of transactions being carried on in different places at the same time, it is not easy to preserve regularity in our narration. No colony, at this period, was unemployed in the service of war. In South Carolina, the governor was obliged to retire from Charlestown on board of a ship of war in the river; and a successful treaty was concluded between the Americans and the leaders of the back-settlers (called Regulators), by which the latter were bound to preserve an entire neutrality. These Regulators had formerly been ramed with by the governor; but his intentions, being divulged, were disappointed. Governor Martin, of North Carolina, was vigorous in the exercise of his office, but continually involved in quarrels with the American congress, and committees, who declared him an enemy to America; and which charge he returned, by proclaiming their declaration to be a scurrilous and seditious libel. Before he could fortify his palace at Newburn, however, he was obliged to retire on board a sloop of war in Cape Fear river, leaving the ammunition to fall into the hands of the Americans, who established the same alterations in the form of government in both Carolinas, as had taken place in the other colonies. At Boston, by the departure of General Gage, the chief command devolved upon General Howe, who issued a proclamation, by which "such of the inhabitants as attempted to leave the town without licence, were condemned to military execution, if detected and taken; and if they escaped, to be proceeded against as traitors, by the forfeiture of their effects; and such as obtained permission, were not to carry more than a small specified sum of money." Mean time, hostilities continued to be committed on the sea-coasts. About the middle of October, in consequence

sequence of some violent behaviour relative to the loading of a mast-ship, the admiral on this coast ordered that the town of Falmouth, in the northern part of the province of Massachuset's-bay, should be levelled with the ground; an order which was soon complied with. Only a few houses escaped, owing to their distance; and those of the least valuable sort. The assembly of Massachuset's-bay met soon after this, and passed an act for granting letters of marque and reprisal, and the establishment of the courts of admiralty, for the trial and condemnation of British ships; declaring, at the same time, that their sole intention was to defend the coasts and navigation of America, and extend the power of capture only over such ships as should be employed in bringing supplies to the armies employed against them. The several colonies already associated, had in May entered into articles of confederation and perpetual union, of which the following are the principal.—“The name of the confederacy shall henceforth be, The United Colonies of North America. They hereby enter into a firm league of friendship with each other, binding on themselves and their posterity, for their common defence against their enemies, for the security of their liberties and properties, and their mutual and general safety and welfare. Each colony shall enjoy and retain as much as it may think fit of it's own present laws, customs, rights, privileges, and peculiar jurisdictions, within it's own limits; and may amend it's own constitution, as shall seem best to it's own assembly or convention. For the more convenient management of general interests, delegates shall be elected annually in each colony, to meet in general congress, at such time and place as shall be agreed on in the next preceding congress. Only where

particular circumstances do not make a deviation necessary, it is understood to be a rule, that each succeeding congress is to be held in a different colony, till the whole number be gone through, and so in perpetual rotation. The power and duty of the congress shall extend to the determining on war and peace, the entering into alliances, and reconciliation with Great Britain, the settling all disputes between colony and colony, if any should arise, and the planting new colonies where proper. The congress shall also make such general ordinances, thought necessary to the general welfare, of which particular assemblies cannot be competent; viz. those that may relate to our general commerce, or general currency, to the establishment of posts, the regulation of our common forces. The congress shall also have the appointment of all officers, civil and military, appertaining to the general confederacy, such as general treasurer, secretary, &c. All charges of war, and all other general expences to be incurred for the common welfare, shall be defrayed out of a common treasury, which is to be supplied by each colony, in proportion to it's number of male polls between sixteen and sixty years of age; the taxes for paying that proportion are to be laid and levied by the laws of each colony. The number of delegates to be elected and sent to the congress by each colony, shall be regulated from time to time by the number of such polls returned; so as that one delegate be allowed for every five thousand polls. The delegates are to bring with them, to every congress, an authenticated return of the number of polls in their respective colonies, which is to be taken for the purposes above-mentioned. At every meeting of the congress, one half of the members returned, exclusive of proxies, shall be necessary

necessary to make a quorum: and each delegate at the congress shall have a vote in all cases; and, if necessarily absent, shall be allowed to appoint any other delegate from the same colony to be his proxy, who may vote for him. An executive council shall be appointed by the congress out of their own body, consisting of twelve persons; of whom, in the first appointment, one-third, viz. four, shall be for one year, four for two years, and four for three years; and, as the said terms expire, the vacancies shall be filled up by appointments for three years; whereby one-third of the members will be chosen annually; and each person who has served the same term of three years as counsellor, shall have a respite of three years before he can be elected again. This council, of whom two-thirds shall be a quorum, in the recess of the congress, is to execute what shall have been enjoined thereby; to manage the general continental business and interests, to receive applications from foreign countries, to prepare matters for the consideration of the congress, to fill up, *pro tempore*, continental offices that fall vacant, and to draw on the general treasurer for such monies as may be necessary for general services, and appropriated by the congress to such services. No colony shall engage in an offensive war with any nation of Indians, without the consent of the congress, or great council above-mentioned, who are first to consider the justice and necessity of such war. A perpetual alliance, offensive and defensive, is to be entered into, as soon as may be, with the Six Nations; their limits ascertained, and to be secured to them; their lands not to be encroached on, nor any private or colony purchase to be made of them hereafter to be held good; nor any contract for lands to be made, but between

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the great council of the Indians at Onondaga, and the general congress. The boundaries and lands of all the other Indians shall also be ascertained, and secured to them in the same manner; and persons appointed to reside among them in proper districts, who shall take care to prevent injustice in the trade with them; and be enabled at one general expence, by occasional small supplies, to relieve their personal wants and distresses; and all purchases from them shall be by the congress, for the general advantage and benefit of the united colonies. As all new institutions may have imperfections, which only time and experience can discover, it is agreed, that the general congress, from time to time, shall propose such amendments of this constitution, as may be found necessary; which being approved of by a majority of the colony assemblies, shall be equally binding with the rest of the articles of this confederation. Any and every colony from Great Britain, upon the continent of North America, not at present engaged in our association, may, upon application, and joining the said association, be received into the confederation, viz. Quebec, St. John's, Nova Scotia, Bermudas, East and West Floridas, and shall thereupon be entitled to all the advantages of our union, mutual assistance, and commerce.—These articles shall be proposed to the several provincial conventions or assemblies, to be by them considered; and if approved, they are advised to empower their delegates to agree to and ratify the same in the ensuing congress; after which the union thereby established is to continue firm, till the terms of reconciliation proposed in the petition of congress to the King are agreed to; till the acts since made, restraining the American commerce and fisheries, are repealed; till

till reparation is made for the injury done to Boston, by shutting up it's port, for burning Charlestown, and for the expence of this unjust war; and till all the British troops are withdrawn from America. On the arrival of these events, the colonies are to return to their former connections and friendship with Great Britain; but, on failure thereof, this confederation is to be perpetual."—It was some time before the colonies were unanimous in joining this association. A few months, however, put the propriety of the step beyond a doubt.

Soon after the confederation was drawn up, the following resolutions were passed. "Whereas it hath pleased God to bless these countries with a most plentiful harvest, whereby much corn and other provisions can be spared to foreign nations who may want the same; it is resolved, that after the expiration of six months, from the 20th of July instant, being the day appointed, by a late act of parliament of Great Britain, for restoring the trade of the confederate colonies, all custom-houses therein (if the said act be not first repealed) shall be shut up, and all the officers of the same discharged from the execution of their several functions; and all the ports of the said colonies are to be thenceforth open to the ships of every state in Europe that will admit our commerce, and protect it, who may bring in, and expose to sale, free of all duties, their respective produce and manufactures, and every kind of merchandise, excepting teas, and the merchandise of Great Britain, Ireland, and the British West India Islands. We will, to the utmost of our power, maintain and support this freedom of commerce, for two years certain after it's commencement, any reconciliation between us and Great Britain notwithstanding,

standing, and as much longer beyond that term as the late acts of parliament for restraining the commerce and fisheries, and disallowing the laws and charters of any of the colonies, shall continue unrepealed."—In a declaration published near the end of the year, the congress avowed, that whatever punishment shall be inflicted upon any persons in the power of their enemies, for favouring, aiding, or abetting, the cause of American liberty, shall be retaliated in the same kind, and in the same degree, upon those in their power, who have favoured, aided, or abetted, or should abet, the system of ministerial opposition.—This declaration was an answer to the royal proclamation for suppressing rebellion and sedition, issued at St. James's, in August.

Such was the state of America at the end of the present year. In England fear and hope, jealousy and resignation, alternately occupied the minds of the people; commercial interest and party prejudice divided the public opinion; and they who judged without any other bias than toward the public good, were of a consequence too inconsiderable for public notice. There never was a time when opposition were so powerful in arguments, or so weak in numbers. The inefficacy of the boasted coercive measures was an unanswerable objection; but the power of the majority was irresistible, and what was effected by numbers passed for the operation of reason. The absurd and destructive distinctions of Whig and Tory were now revived with extraordinary virulence; and the precise definition of each class admitting of some ambiguity, a man of sober sense and unconnected judgment knew not what part to take, knew not where to look for his country's salvation, knew not to what he should impute it's impending

impending ruin. Much money was at this time in England, the greatest part of which had confessedly been sent from America. Peace being restored in the continent of Europe, great demand for merchandise was made; and these, with perhaps the usual increase of particular sales consequent on military preparations, kept many people insensible of the danger trade in general was exposed to. The American, African, and West India merchants and planters were not so confined in their prospects; indeed, what they had already felt, made them thoroughly desirous that this unhappy breach should be speedily cemented. But the horrors of civil war were painted either in colouring too faint, or there was some fatality attending the present appearances. The rejection of city petitions seemed, in the beginning of the season, to draw off the cause of public discontent from the American troubles to the obstinacy of the court. But from this apathy a variety of causes concurred to rouse the people. Lord Effingham, who had uniformly reprobated the measures of parliament in the affairs of the colonies, resigned the command of his regiment, as soon as he heard that it was one of those intended for service against America. Public thanks were rendered to him for this instance of patriotism and consistency; but, as is said, he did not escape without private marks of displeasure. The protestant subjects and merchants in Ireland declared themselves to possess opinions in favour of America, and where a knowledge could be procured of the other states of Europe, similar sentiments prevailed.

The African trade being nearly extinguished, a very alarming occurrence presented itself soon after

ter the arrival of the Guinea ships. The crews being dismissed, as no longer wanted, the misery and distraction of this useful set of men became very great. A prodigious number of them assembled at Liverpool, and committed such violences, as to fill the minds of the inhabitants with the greatest apprehensions concerning the safety of the town. The timely interposition of a detachment of light horse dispersed the mob for the present, and employment was soon afterwards found for them in the royal navy. About August, Mr. Penn, late governor, and one of the proprietors of Pennsylvania, arrived from thence with a petition from the general congress to the King, which he presented through the hands of Lord Dartmouth. As the substance of the petition was of a most pacific nature, and the language more mild than that of any hitherto presented, great hopes were formed by the friends of America. But these hopes fell to the ground, when Mr. Penn was informed by the American secretary, that *no answer would be given to this petition*. In defence of this refusal, it was urged, that there was no possibility of relying on their promises who still had arms in their hands, and that the dignity of the crown would be lessened to contempt, if England should now retreat from her designs without a probability, at least, of success, at a time when the spirit and disposition of the people decided against a measure so inconsistent. An extract from this petition may now be read, however, without any injury to the dignity of the crown. After many professions of attachment to Britain, and a brief mention of the causes of the present troubles, they add, "Attached to your Majesty's person, family, and government, with all the devotion that principle and affection can inspire,

inspire, connected with Great Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, we solemnly assure your Majesty, that we not only most ardently desire the former harmony between her and these colonies may be restored, but that a concord may be established between them upon so firm a basis, as to perpetuate it's blessings, uninterrupted by any future dissensions, to succeeding generations in both countries; to transmit your Majesty's name to posterity, adorned with that signal and lasting glory that has attended the memory of those illustrious personages, whose virtues and abilities have extricated states from dangerous convulsions, and, by securing happiness to others, have erected the most noble and durable monuments to their own fame. We beg leave further to assure your Majesty, that notwithstanding the sufferings of your loyal colonists, during the course of the present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin, to request such a reconciliation as might in any measure be inconsistent with her dignity or her welfare. These, related as we are to her, honour and duty, as well as inclination, induce us to support and advance; and, the apprehensions that now oppress our hearts with unspeakable grief being once removed, your Majesty will find your faithful subjects on this continent ready and willing, at all times, as they have ever been, with their lives and fortunes, to assert and maintain the interests of your Majesty and of our mother country. We therefore beseech your Majesty, that your royal authority and influence may be graciously interposed, to procure us relief from our afflicting fears and jealousies, occasioned by
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the system before-mentioned, and to settle peace through every part of your dominions; with all humility submitting to your Majesty's wise consideration, whether it may not be expedient, for facilitating these important purposes, that your Majesty be pleased to direct some mode by which the united application of your faithful colonists to the throne, in pursuance of their common councils, may be improved into a happy and permanent reconciliation; and that in the mean time measures may be taken for preventing the further destruction of the lives of your Majesty's subjects, and that such statutes as more immediately distress any of your Majesty's colonies be repealed. For by such arrangements as your Majesty's wisdom can form, for collecting the united sense of your American people, we are convinced your Majesty would receive such satisfactory proofs of the disposition of the colonists, toward their sovereign and the present state, that the wished-for opportunity would soon be restored to them, of evincing the sincerity of their professions, by every testimony of devotion becoming the most dutiful subjects, and the most affectionate colonists." This petition is signed by the delegates from the colonies of New Hampshire, Massachuset's-bay, Rhode-island, Connecticut, New York, New Jersey, Pennsylvania, Delaware Counties, Maryland, Virginia, North and South Carolina.

But neither the opening for reconciliation which was held forth in this petition, nor the ill success attending the Newfoundland fisheries, nor reiterated remonstrances from incorporate and mercantile bodies, were sufficient to divert the ministry from their favourite design. Untaught by any experience, they began now to think of negotiations

gociations for troops. Many difficulties occurred in the course of these; and after being disappointed both in Holland and Russia, Germany presented itself as our only resource for foreign troops. In the mean time the garrisons of Minorca and Gibraltar were ordered to America, and replaced by five battalions of electoral troops. Prodigious quantities of provisions and necessaries of all sorts were shipped for Boston: the expence was incredible, and the business so ill conducted, or attended with circumstances so unavoidably unfortunate, that before the transports could put to sea, the greater part of their cargoes were destroyed by tempests, or consumed through necessity; and of the few which encountered the dangers of the ocean, at a late period of the year, the greater part were wrecked, taken by the Americans on their coasts, or were driven into the harbour of Boston, more standing in need of assistance, than able to afford any. A subscription opened in England soon after this, for the relief of the soldiers at Boston, and the widows and children of the killed and wounded, was an appeal to humanity which many could not resist; but others, weighing the concomitant circumstances, were doubtful how far they could bestow this charity, consistently with their avowed hatred of the measures of government against the Americans.

In the course of the summer, addresses poured in from all quarters. Those from North Britain, in particular, were replete with sentiments of attachment to the measures of the present ministry, and conveyed the strongest professions of their readiness to assist government against the designs of a rebellious people. In some of the addresses, as well as in many of the public papers, suspicions

suspicious of treasonable practices were thrown out in abundance. A Mr. Sayre, an American by birth, and a banker in London, was actually apprehended, and committed to the Tower, for having formed a design to carry off his Majesty by force, at noon day, in his passage to the House of Peers, to transport him out of the kingdom, and overturn the form of government. Ridiculous as this may appear, it raised no little ferment in the kingdom; and, without considering the impossibility of such a crime, every individual panted to be the executioner of a culprit into whose mind such thoughts dared to enter. Mr. Sayre, however, was bailed out after a few days imprisonment; and no prosecution being attempted, he sued Lord Rochford for false imprisonment.

At length the parliament met on October the 26th: his Majesty, in a speech of unusual length, gave the present situation of America as an excuse for having called the houses together early. It was observed, that those who had too long successfully laboured to influence the people in America by gross misrepresentations, and to infuse into their minds a system of opinions repugnant to the true constitution of the colonies, and to their subordinate relation to Great Britain, now openly avowed their revolt, hostility, and rebellion. They had raised troops, were collecting a naval force, had seized the public revenue, and assumed to themselves legislative, executive, and judicial powers, which they already exercised in the most arbitrary manner over the persons and properties of their fellow-subjects; and although many of these unhappy people might still retain their loyalty, too wise not to see the fatal consequences of this usurpation, and might wish to resist it, yet the

the torrent of violence had been strong enough to compel their acquiescence, till a sufficient force should appear to support them. The authors and promoters of this desperate conspiracy had, in the conduct of it, derived great advantage from the difference of our intentions and their's. They meant only to amuse, by vague expressions of attachment to the parent state, and the strongest professions of loyalty to his Majesty, while they prepared for a general revolt. On our part, though it was declared in the last session, that a rebellion existed in Massachusetts-bay, yet the parliament wished rather to reclaim than subdue even that province. The resolutions of parliament breathed a spirit of moderation and forbearance; conciliatory propositions accompanied the measures taken to enforce authority; and the coercive acts were adapted to cases of criminal combinations amongst subjects not then in arms. His Majesty had acted with the same temper, anxious to prevent, if possible, the effusion of blood, and the calamities inseparable from a state of war; still hoping that the people of America would have discerned the traitorous views of their leaders, and have been convinced, that to be a subject of Great Britain, with all it's consequences, is to be the freest member of any civil society in the known world. The rebellious war was now become more general, and was manifestly carried on for the purpose of establishing an independent empire. The object was too important, the spirit of the British nation too high, the resources with which God had blessed her too numerous, to give up so many colonies which she had planted with great industry, nursed with great tenderness, encouraged with many commercial advantages, and protected and defended at

much expence of blood and treasure. It was now become the part of wisdom, and (in it's effects) of clemency, to put a speedy end to these disorders by the most decisive exertions. For this purpose his Majesty had increased his naval establishment, and greatly augmented his land forces; but in such a manner as might be least burdensome to the kingdom. His Majesty informed them, that the most friendly offers of foreign service had been made, and, if necessary, should be laid before them. He assured them, that when the unhappy and deluded multitude, against whom force was to be directed, should become sensible of their error, he would receive them with tenderness and mercy. An apology was made to the Commons for the increased demand of supplies; and it was affirmed, that the constant employment of his Majesty's thoughts, and the most earnest wishes of his heart, tended wholly to the safety and happiness of his people; and that his Majesty saw no probability that the measures which parliament might adopt would be interrupted by disputes with any foreign power.

As the addresses, in answer to this speech, contained sentiments entirely consentaneous to it, the efforts of opposition were powerfully directed to avoid the imputation of those addresses being the unanimous voice of the house. The commencement of the debates was from an alteration proposed by Lord John Cavendish, in the House of Commons, and a similar one by the Marquis of Rockingham, in the House of Lords. The purport of both was this: "That they beheld, with the utmost concern, the disorders and discontents in the colonies rather increased than diminished by the means that had been used to suppress and allay them; a circumstance alone sufficient to give them

them just reason to fear, that these means were not originally well considered, or properly adapted to their ends. That they were satisfied by experience, that the misfortune had, in a great measure, arisen from the want of full and perfect information of the real state and condition of the colonies being laid before parliament; by reason of which measures injurious and inefficacious had been carried into execution, from whence no salutary end could be expected, tending to "tarnish the lustre of the British arms, to bring discredit on the wisdom of his Majesty's councils, and to nourish, without hope of end, a most unhappy civil war. That, deeply impressed with the melancholy state of public concerns, they would, in the fullest information they could obtain, and with the most mature deliberation they could employ, review the whole of the late proceedings, that they may be enabled to discover, as they will be most willing to apply, the most effectual means of restoring order to the distracted affairs of the British empire, confidence to his Majesty's government, obedience, by a prudent and temperate use of it's powers, to the authority of parliament, and satisfaction and happiness to all his people. That, by these means, they trust to avoid any occasion of having recourse to the alarming and dangerous expedient, of calling in foreign forces to the support of his Majesty's authority within his own dominions, and the still more dreadful calamity of shedding British blood by British arms."—The debates on this motion comprehended all the former, and a variety of new arguments, arising from late occurrences, for and against the system of American coercion; as they were conducted with great spirit, and seeming conviction, it may not be improper to lay before the reader the principal topics

in both, to which we may afterwards refer, and thereby avoid tedious repetition.

The friends of ministry argued thus: "Since the congress have wrested from it's rightful possessors all the powers of government, have raised armies, are preparing a fleet, making a pecuniary establishment, and are carrying on a war in every respect, we cannot admit a doubt of their intentions to be entirely independent of Great Britain. Their words and actions correspond not; or if they do, they have held forth a specious and equivocating strain of correspondence, which amounts to this, that they seek not independence, yet are determined to no other than a nominal submission to the throne of Britain. The lenity of parliament, so often extended to them, has been repaid with insult, and improved to it's disparagement. As a proof of this lenity, the Americans have been allowed to tax themselves, and they have refused the contribution of any sum whatsoever. But we contend not for revenue, nor authority. To the sovereignty itself of Britain we must *command* obedience. We cannot reverse our operations; they must still be pursued; and success might have attended them, but for the opposition which they have met with from those who ought not so far to forget the interests of this country, as to influence the public against even the legislature itself. Our difficulties, it must be allowed, are many; but all Europe is watchful for the event, and a retrospect would involve us in disgrace. We have nothing to fear from foreign powers, and a recollection of our successes, when embroiled in the dangers and distresses of many a complicated war, ought to arm us against despairing of a speedy issue to a dispute of yesterday with a foe of yesterday, and whose greatness has arisen from ourselves. As to

that part of the speech which relates to the employing of foreign troops, we mean not at present, by our address, to give an absolute assent to the measure; but when the navy and army estimates shall be laid before the house, the legality of it may be more fully enquired into. In the mean time, we rest it's defence on precedents, and the strictest principles both of law and constitution. Many able lawyers have defended it; but as some members seem greatly alarmed, ministry are willing that the matter may afterwards be taken into consideration, and debated on parliamentary grounds. Mismanagement, in some quarter, we pretend not to deny; but it is as yet doubtful whether the authoritative or executive power deserves the greatest share of blame. An enquiry will clear up the whole; and it is not yet too late to compensate for want of vigour hitherto, or to hope for the good effects of the present measures. If we labour under some difficulties, much harder is the fate of the Americans, doomed as they are to the expence and miseries of obstinacy and war, without those indispensable resources which Britain has within itself. Ministers have been misled; and, in consequence of that, some disappointments have occurred which were not within the verge of human foresight. The defection of New York, brought about by the people of Connecticut, and especially the unanimity of the colonies, are circumstances which no acquaintance with mankind could have predicted. The only method to gain accurate information regarding the colonies, is by examining those who have long resided on the spot, and even this is liable to fallacy. Besides, it is impossible to omit the mention of that restless faction at home, who have done every thing in their power,

both within and without doors, to impede this momentous progress, and prevent that success, with which, in the common course of events, our endeavours at last must be crowned."

In answer to these arguments, opposition drew an affecting picture of this unhappy country from the unwise conduct of its leading men. "His Majesty stands cruelly deprived of his American possessions, and the prevailing luxury of a dissipated age is followed by a more than ordinary speed towards ruin from civil discord. The facts contained in this speech want foundation. Both by word and writing the Americans disclaim every aim at independence; but they wish, indeed, to establish a difference betwixt slavery and independence. They spoke their minds without the least reserve; and it is evident, from the preparations made by us, that ministry considered them as serious, and not as willing to protract and gain time. Ministry cannot pretend, that they were without warning of the dangers into which their measures would precipitate this country. The wretched event of all their resolutions was again and again demonstrated on the principles of reason and justice; and in return for this warning, gentlemen in opposition are branded by the name of a factious party. Such imputations they disdain; and if they can, will prevent, in these houses. The freedom of debate admits not of such insulting language. And disdaining the information and advice of opposition, what sources have the friends of administration substituted? The partial representations of men vexed by disappointments to their selfish purposes. Members of parliament ought to be cautious how they give implicitly into the measures of an insatuated administration; let them weigh the dangers which history

tory shews to await the introduction of foreign troops, the confidence that is to be placed in men whose actions have been a series of blunders, the enormous expence in supporting an army of seventy thousand men in America, and the increase of national demands on private property. Let them compare these with the probable advantages, and see if, in the most flattering prospects that can be held out, there will be any thing to balance burnt towns, destroyed trade, a depopulated country, a bloody dagger haunting the imagination, a despised Britain, bankrupt in glory, fortune, and in friends, a constitution tottering under it's wilful weaknesses, and an untimely grave gaping to bury all it's honours in endless oblivion. If this be the consequence of our supposed subjugation of America, what will follow if we fail? Language would be but the faint outlines of that horrid picture which reason, justice, the ways of Providence, and the fate of empires, present to our mind's eye. Administration appear either to have been imposed on in every particular relative to the colonies, or they have designedly deceived parliament. A weakness has been displayed totally inconsistent with the character of an English minister, and an obstinacy which we cannot possibly overlook. The Americans still deny the right of taxation; they have ever done so; and no change, unless for the worse, has been produced by the conciliatory proposition of the last session. The Americans can never be said to have refused their assistance when called upon according to the principles of their constitution; and their having now taken up arms in defence of that constitution comes not within the description of rebellious intention. It is not, as ministerialists alledge, even now too late, but the mode of exercising lenity,

which parliament so much boasts of, must be changed. Are any of the acts respecting Massachusetts-bay, Quebec, or the colonies in general, to be accounted lenient? Is the proposal that a gentleman, who seconded the address, has made for arming the negroes against their masters, lenient? And by what other means is this lenient war to be carried on? By the assistance of foreign troops; a measure repugnant to law and constitution, a dangerous precedent, and immediately productive of jealousies and dissensions. But in vain do we endeavour to stop the current of these fatal proceedings. Let ministers remember, that, however they may boast of their strength to carry on this war, they may perhaps find difficulties which they do not think proper to foresee, and which will be insurmountable; and while they persist in their unavailing efforts, other rival powers will view their dismembered empire with satisfaction. They will see the insufficiency of the present administration for the purposes of carrying on a war, and how little trust is to be reposed in them. Ten thousand of the flower of our army, with four generals of reputation, and backed with a great naval force, have been miserably blockaded in one sea-port town; and, from many circumstances, we think it admits of great doubt whether, at this moment, we possess a single town in all North America."

These arguments of the members of opposition were powerfully aided by the defection of General Conway and the Duke of Grafton; who, in their respective houses, pleaded the cause of the injured colonists with great ability, feeling, and correctness. They gave it as their opinion, that if ever a reconciliation could be effected, this was the time to make the attempt, by a repeal of every obnoxious act passed against the Americans since
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the year 1763. The addressees, however, passed in the original forms in both houses by prodigious majorities. The debates were unusually long, and the questions attended to with unremitting zeal. The Duke of Richmond distinguished himself in the house of Lords, and was one of nineteen peers who signed a protest against the proceedings of that house. What relates to the employment of Hanoverian troops, conveys the following sentiments: "That Hanoverian troops should, at the mere pleasure of the ministers, be considered as a part of the British military establishment, and take a rotation of garrison duties, through these dominions, is, in practice and precedent, of the highest danger to the safety and liberties of this kingdom, and tends wholly to invalidate the wise and salutary declaration of the grand fundamental law of our glorious deliverer King William, which has bound together the rights of the subject, and the succession of the throne." Upon this opinion, a few days after the address had been delivered, the Duke of Manchester founded a resolution, "That bringing into any part of the dominions of Great Britain the electoral troops of his Majesty, or any other foreign troops, without the previous consent of parliament, is dangerous and unconstitutional." The Hanoverians, his Grace observed, would not be under the command of any military law in those garrisons, and the mutiny act could not extend to them, being confined to those troops only which are specified in it, or voted by parliament. There was no security in putting fortified places, of such importance, into the hands of foreign troops; and the King had no right to maintain, in any part of his British dominions, any troops to which parliament had not given their consent.

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On the other hand, the lords in administration said, that the clause in the Bill of Rights, which is in question, is to be understood with the conditions annexed to it, one of which relates to the bringing of troops *within* the kingdom, and another mentions the *time of peace*, and in the present case neither of those conditions were injured. Nay, the Bill of Rights confirms to the King a power to raise an army, in time of war, in any part of his dominions, both of natives and foreigners; a power which had been exerted, on several occasions, without the consent of parliament, and was justified now by necessity. The opposition answered, that the words "within the kingdom," if confined to England alone, would exclude Ireland, Scotland, and other places, into which armies of foreigners might be introduced. However the circumstantial quibbling of law determines, the measure was certainly contrary to the spirit and intention of the Bill of Rights, which particularly provides against keeping a standing army without the consent of parliament. They maintained, that no foreign troops had been brought into the kingdom at any time since the Revolution, without the previous consent of parliament, either by an address, or by some former treaty which it had ratified; and the hiring of foreign troops, and afterwards prevailing on parliament to ratify the engagements, had always been censured as an unwarrantable step. In the late war ministers were exceedingly cautious in this respect; and even after the parliament had agreed to the raising of four thousand Germans for American service, such effectual provision was made for the security of this kingdom, that it was impossible any mischief could ensue. The opposition declared, that by their objecting to the admission of the electorate

electorate troops into our garrisons, they meant no distrust of his Majesty, but that it was necessary to wave, for the present, that stile of compliment, which, at another, and less momentous occasion, they scrupled not to use. With all the deference King William's parliament entertained for that prince, they never would consent to the admission of his Dutch guards into England. After a few more arguments against the motion, the previous question was put, and the numbers were seventy-five who voted against, and thirty-two who supported the motion.

It was necessary, however, that Lord North should give the promised satisfaction to the gentlemen of the House of Commons on this subject. He had agreed to the clause in the address, upon condition, and in expectation, that a bill of indemnity would afterwards be passed, to protect from punishment such ministers as might through necessity, expediency, or human infirmity, give their consent to an illegal act. His Lordship, although convinced for himself of the propriety of the measure in question, assured the house, that a bill should be brought in for the purpose specified; but the opposition not approving of what they imagined would be the tenour of his bill, determined that a motion should come from one of their own number, more definite than any he would be willing to advance. Accordingly, Sir James Lowther moved, "That the introducing of Hanoverian troops into any part of the dominions belonging to the crown of Great Britain, without the consent of parliament first had and obtained, is contrary to law." Besides the assertion of the lords in opposition, it was now contended, that this introduction of foreign troops is contrary to a clause in the Act of Settlement, which

which enacts, "That no person born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereto belonging, (except such as are born of English parents,) shall be capable to enjoy any office or place of trust, civil or military;" but the gentlemen on the side of administration maintained, that the crown possessed an indisputable prerogative (coeval with it's rights to make peace or war) to protect the public by arms, and which parliament could only controul by refusing the necessary supplies; that the Bill of Rights confirmed this by declaration; and only condemned such armies as should be raised contrary to ancient and unquestionable usage; and allowing that a show of objection might be held forth against the general right of the crown, in this respect, the particular right of placing garrisons in his Majesty's fortresses had never been an object of dispute; the garrison kept in Calais, that at Tangier, during the reign of Charles II. the garrisons formerly kept in Newcastle, Berwick, Portsmouth, &c. were instances; these troops, as soon as they left the garrison town, were declared illegal, and of course all danger was guarded against. But, on the other hand, opposition denied the legal force of any usage contrary to the principles of the constitution. The ancient armies of the crown being composed of those who served by virtue of their tenure for a limited time, the King was entitled to employ them in common with the inferior lords; but when this tenure was abolished, it was parliament alone which could grant to his Majesty any military force whatever. As to Calais, it was, they said, the last remnant of those possessions which our kings held, of their own right, in France, and the parliament had no more concern with it, than they have now with Hanover.

holdw

Charles

Charles II. had kept, indeed, a garrison in Tangier and Dunkirk; but the revolution had provided against any such unconstitutional liberties for the future. This motion was lost by two hundred and three to eighty-one, who supported it. The same day Lord North brought in his bill of indemnity, to quiet the minds of country gentlemen.

More infractions on the constitution presented themselves to the opposition. A new militia bill, introduced at this time, was said to be subversive of every idea of a constitutional militia, as they were not to be called out except in cases of invasion or rebellion, pretences which might at any time be made. A minister had it in his power to embody them, and in that case they composed a standing army. A variety of instances were recalled to memory as proof that this bill, in conjunction with others, was rapidly hastening the independence of the crown, and taking away the barrier of the people against the most violent exertions of arbitrary power. The ministry, however, endeavoured to assure the house, that their fears on this head were groundless, and that it was not to be supposed that any minister would dare to abuse the power granted to him, and that if he did, he was accountable for it at the risk of his life. Gentlemen in opposition had formerly been obstinate defenders of a militia; and while it was necessary to send the regular troops abroad, what could be more convenient for the defence of our property at home? His Majesty never gave an instance more expressive than the present, of the unbounded confidence which he placed in his people, of committing to them the protection of his crown, person, and kingdom. This did not satisfy the opposition; part of the Devonshire militia

militia had offered their personal service against all *internal* enemies: this was a sample of what we had to expect from the establishment of this new militia, who were to obey any orders that might be given, no matter by whom; and where would they, who might differ from administration in matters of political opinion, find security against the undue exertion of this power, or the misconstruction of the sentiments of opposition? On the other hand, it was replied, that the Devonshire militia, by this address, only wished to give a proof of their attachment to the crown, and that it was proper for other societies to do the like, as a counterpart to the addresses of London and Middlesex, and to undeceive the people in the country, who dreaded that nothing less than a revolution was meditated by the present adverse proceedings of some bodies of men. The question being put, the bill was carried by two hundred and fifty-nine to fifty.

On the debates relative to the army estimates, the affairs of America became a necessary object of enquiry, and a motion was made, "That there be laid before the house an account of the last returns of the number of effective men, in the several regiments and corps in his Majesty's service, serving in North America, together with a state of the sick and wounded; distinguishing the several places where the said troops are stationed." The compliance with this motion appeared to ministry as very dangerous, since the information requested would amount to a disclosure of many important facts, which it was much our interest to conceal from the enemy in a time of war. But the opposition roundly asserted, that it was the parliament, and not the enemy, whom ministry wished to keep ignorant; and whatever excuses

excuses they might make in defence of such an intention, it was impossible for the house to vote for new forces, without knowing what had been effected by the old, and what situation they were in. A majority of nearly three to one having rejected this motion, another was brought forward, "That 28,000 seamen, including 6,665 marines, should be voted for the service of the ensuing year." In the course of the debates on this motion, it was alledged, that seventy-eight sail, the force intended for the North American station, was too great to be confined to that part of the world, as it left home, and other valuable possessions, in a defenceless state. Administration did not see the matter in this light, and thought that the affairs of Europe were in a train so friendly, as not to give necessity for the same exertions at home. As other powers were making no unusual preparations, it might be dangerous to shew a jealousy first on our part.—A few days after, a motion from one of the opposition, "That power should be given to the commissioners appointed to act in America, to receive proposals from the Americans, suspending all enquiry into the legality of the convention, congress, or meetings, which tendered the propositions," was rejected without a division. Precedents, indeed, were brought to prove, that the crown had on former occasions treated with the people when assembled in a manner which had not received its sanction; but administration thought, that if we entered now into a treaty with the American congress, it would be a decision at once of the question in dispute, and a declaration that all our proceedings were unjust. The next day the army estimates were laid before the house, and after much opposition 55,000 men were voted, 25,000 of which were destined for America.

The

The minority made heavy complaints against ministers for refusing satisfaction in the obscure situation of matters, and for the inconsistency of their conduct in carrying on the business of a war. If peace was to be desired, ministry went not one step in advance towards it; if war, if a plan of coercion, the proposed force was totally inadequate for the purpose. On this and all the former motions, the subjects of the King's speech were again and again canvassed, and many severe accusations thrown out on both sides. Opposition, it was alleged, impeded the progress of administration in their plans; and opposition retorted, by saying, that the ignorance in which they were purposely kept, and the weak powers applied even for the favourite scheme of enforcing the authority of parliament over America, were circumstances that ever would retard the operations of administration, and bring disgrace upon the whole parliament.

While the petition from congress, which we mention to have been presented to the King by Mr. Penn, lay on the table of the House of Lords, it was moved that Mr. Penn, who happened to be present on a day of debate relative to America, should be examined at the bar of the house. The lords in administration opposed this with great vehemence, as not only a disorderly proceeding, but as likely to be attended with prejudicial effects, both to them and to Mr. Penn's private affairs. After much resistance, however, it was at length agreed, that he should be examined the day following. By his account, it appeared, that congress had never formed designs of independence; that the congress was duly elected, and expressed the genuine sentiments of their numerous constituents, who reposed entire confidence in them;

that

that it was the general opinion, that America was able to resist Great Britain in it's designs to abridge the liberties of the colonies; and that out of 60,000 men in Pennsylvania, able to bear arms, 20,000 had been voluntarily enlisted to serve without pay, before Mr. Penn's departure; besides this force, the majority of which were men of considerable property, 4,500 minute men had been since raised, to be paid when employed in actual service; that the colonists had attained considerable perfection, and were well provided with stores for making arms of all kinds. Mr. Penn, however, endeavoured to assure the house, that the colonists formed greater hopes from the success of his embassy, and wished for a reconciliation with the mother country, but that if farther irritated by the rejection of this petition, he believed they would soon turn towards foreign powers, and if their assistance should be obtained, it would establish a connection betwixt them and the colonies not easily to be broken afterwards. He could remember, and affirmed, that the repeal of the stamp-act gave universal satisfaction in America, and that the colonists were very peaceable till disturbed by the late decisions, and that now they looked towards this petition as the last effort of reconciliation. A variety of other questions were asked, the answers to which went to prove similar intelligence on the state of America. The Duke of Richmond followed the examination (in which none of the ministry proposed a single question) with a motion, "That the petition from the continental congress to the King, was ground for a conciliation of the unhappy differences at present subsisting between Great Britain and America." After painting, in the strongest colours, the misery, disgrace, and difficulties with which England would be oppressed

by an obstinate continuation of this war, the lords who seconded the motion, as well as the noble mover, gave it as their opinion, that since ministry had, in words, abandoned the idea of laying taxes on America, the claims of Great Britain, and that portion of attention which America might be willing to pay to them, were now the only matters in question. Britain desired a supreme and controuling power over the colonies, with respect to their external government, and the regulation of their trade and commerce. As this had been secured by laws passed previous to the year 1763, and as America shewed a willingness to return to their former obedience, the repeal of the laws passed since that period was now the only point to be determined, and the only desideratum for reconciliation; if not a total repeal, at least a revision and amendment of those laws, so as to render them less burdensome. The ministerial friends, on the other hand, insisted that it would be absurd to treat with the Americans while assembled together in an illegal manner, as the independent members of an independent state; that themselves never had relinquished the right of laying on duties, and had only modified their language on some late occasions, in such a manner as to shew that they would abate of their rigour, provided the Americans dutifully relinquished their obstinate and unwarrantable perseverance in unreasonable demands; that the Americans, with all their acknowledgments of the right of legislative controul, resist the declaratory act, the act for quartering soldiers, the law for establishing vice-admiralty courts, and, in a word, every law which they did not like; and if the present petition should be compared with their addresses to the people of Great Britain and Ireland, suspicions of their traitorous and malignant designs would appear very obvious.—

This

This motion, defeated by such arguments, yielded to eighty-six, the minority only thirty-three.—About the same time Lord North procured an increase of the land-tax to four shillings in the pound; the country gentlemen began to feel this, and the recollection that their favourite bill of indemnity had been neglected, occasioned some murmuring. His Lordship, however, quieted them, by assuring the house that the bill was in great forwardness, and that there was no occasion for fearing that the idea of taxation had been relinquished by ministers. They might overlook it for a time, as it now was in some degree eclipsed by the consideration of higher matters, resulting from the farther progress of the war; but that taxation, they might depend on it, was not, and never had been, out of their view.

But in no respect were the members of opposition so jealous of the intentions of ministry to establish arbitrary government, as in the affair of the militia bill. We mentioned that the motion for this bill was carried against great vehemence of argument by a prodigious majority. A motion was made, in the course of it's progress, "That the same power of assembling and embodying the militia, shall not extend beyond the continuance of the present rebellion." This was intended as a criterion of the true designs of ministry in the affair: if they should oppose it, suspicion would be changed into certainty; if not, opposition might cease to object to the embodying the militia as a temporary expedient. But the ministerialists expressed great surprize that opposition should be so tremblingly alive to the infringement of their liberties, and yet resist a motion which put the guardianship of those liberties into their own hands. Of whom were the people to be afraid? of themselves? Impossible.

Of his Majesty? He might give orders to these troops, but the parliament had the paying of them. Of parliament? If so, gentlemen admitted the supposition that parliament might prove false to it's constituents, to itself, to all order and government; they supposed what was not against nature, but what no human means could prevent. The motion was accordingly thrown out by a majority of an hundred and forty to fifty-five. Another, immediately proposed, met with the same fate; "That the militia should not be called out of their respective counties, unless in case of actual invasion." This militated too strongly in favour of the other motions, to be received in the affirmative.

Not dejected with the reiterated disappointments of this session, the Lords and Commons in opposition still continued to make such proposals as seemed to them necessary. It did not matter that they were rejected, that took not from their value; and the exercise of their free judgment, on the present occasion, was a duty they thought they owed to the interests of the kingdom. While the militia bill was in agitation, the Duke of Grafton made the following motions in the upper house; "To lay before the house an account of the number of forces serving in America, previous to the commencement of hostilities, with their several stations and distributions, in order to lay a ground-work for such advice as that house, impelled by a sense of duty, might think fit to submit to his Majesty's consideration. To lay before the house a state of the army now in America, according to the latest returns; the plans that had been adopted for providing winter quarters for these troops; with an account of the number of forces in the provincial army, according

to the best estimate that could be obtained; an estimate of the forces now in Great Britain and Ireland, and an estimate of the military force necessary to be sent against America, with an account of the number of artillery." These motions were strongly opposed by the ministry; who were afraid lest the publication of the accounts specified should afford advantages to the enemy, which it was our interest to keep from them; and after an agreement to that motion only which respected the estimate of the forces now in Great Britain and Ireland, the rest were thrown out without a division. Next day, in the House of Commons, Mr. Burke brought in another conciliatory bill, which merits attention, although at that time the tide of ministerial influence ran high against it. His motion was, "That leave be given to bring in a bill for composing the present troubles, and for quieting the minds of his Majesty's subjects in America." After an elegant introduction, Mr. Burke opened the more immediate subject of his bill, by a consideration of the several methods which had been held out as proper at different times, and by members of different sentiments. The first, simple war, in order to a perfect conquest. This he subdivided into two parts; direct war, by conquest, and indirect, by distress. The former had hitherto been pursued upon principles inadequate to their ends; the latter could answer no valuable purpose, and was calculated to distress an independent people, but never could tend to check disobedience; and, from the opinions of gentlemen of a military profession, the impossibility of a direct war upon any plan hitherto laid down, was sufficiently obvious. The second method, was the mixed system of war and treaty, which Mr. Burke alledged was defective and inconclusive.

It was not an amnesty which was the needful thing in America. The colonists had not forgotten the objects of dispute; and it would be ridiculous to send out pardons to people who neither applied for, nor would accept of them. He reprobated those arbitrary powers with which the commissioners were to be vested of granting pardons, without any established line for the government of their conduct on one side, or known measure of obedience for the attainment of security on the other. Disclaiming both these methods, as ruinous and inefficacious, Mr. Burke proposed his own, founded upon the idea of *concession previous to treaty*. This concession he thought necessary, and that it ought to appear a mere act of our *own free grace*. This measure would prevent protraction, and sustain our dignity much better, than concession after treaty. The first ground of treaty must be confidence; as this confidence had been destroyed by the proceeding of the last ten years, parliament ought and might interpose to restore it. Although he pointed out the necessity of giving up the point of taxation, as an indispensable preliminary, he regretted, that we were obliged to surrender any (even that most odious, and scarcely ever to be exercised) part of the legislature; but this, he said, was the natural and inevitable consequence of injudicious exertions of power; and people who quarrel unreasonably among themselves, and will not reconcile their differences in due season, must submit to the consequences incident to the situation in which they have involved themselves. There was no dishonour in any kind of amicable adjustment of domestic quarrels; and he would rather yield an hundred points, when they were Englishmen that gave and received, than a single point to a foreign nation,

tion. The avowed model of Mr. Burke's bill being the charter from the crown to the people, passed in the reign of Edward the First, and known by the name of *Statutum de tallagio non concedendo*, he proceeded next to state his reasons for following this statute. The ancient disputes between the kings and the people of England, on the subject of taxation, were similar to those now subsisting between the parliament and the natives of America; the claim of sovereignty was the same in both instances, and the evils which were effectually removed by the statute *de tallagio*, corresponded exactly with those which the present bill was intended to remedy. That statute had been the foundation of the unity and happiness of England from that time. It was, he observed, absolutely silent about the right, and confined itself to giving satisfaction in future: it laid down no general principles which might tend to affect the royal prerogative in other particulars; and, in all human probability, the preservation of the other branches of the prerogative, was owing to the clear and absolute surrender of that. The statute consisted of three parts; a renunciation of taxing, a repeal of all laws which had been made upon a contrary principle, and a general pardon. He then shewed a conformity of the present bill to the spirit of that act, supposing Great Britain to stand in the place of the sovereign, and America in that of the subject; the circumstances, he thought, were sufficiently parallel to justify his following an example, that gave satisfaction and security on the subject of taxes, and left all other powers and rights whatever, exactly upon the bottom on which they had stood before that arrangement had taken place. The object, then, of his bill was, a renunciation of the exercise, without at all interfering in the

question of right. It preserved the power of levying duties for the regulation of commerce, but the money so raised was to be at the disposal of the several general assemblies. The crown was empowered, when necessary, to convene general meetings of deputies from the several colonies, and their acts were to be binding upon all. The duty act of the year 1767, with the late coercive and penal laws, were to be repealed; a general amnesty was to be granted, upon the Americans laying down their arms within a given time; and all future revenue were to be free aids from the subject there, as well as here.

As the system of coercion still predominated in the minds of the ministry and their friends, we are not to wonder that this bill was powerfully opposed, and rejected by a considerable majority. A few objections were made to some parts of it, which perhaps required only an explanation; it was said it granted too much, and that the influence of the Americans would increase in proportion to the disposition of Britain towards a reconciliation; and that, since his Majesty had in his speech mentioned a plan of accommodation, it would be disrespectful to attend to any other, until it should be fully considered. Some of the members likewise alledged, that there was a degree of insufficiency in the bill, for the claims of the Americans extended not only to the declaratory act, and to all others passed since the year 1763, but likewise to all the revenue laws, from the act of trade down to the present time; and the bill, instead of going only as far back as 1767, should be carried to the year 1672.—The previous question being put, the numbers were two hundred and ten against an hundred and five; the most numerous

merous minority which had been gained on any division on the American affairs.

Near the end of November, Lord North brought in the famous prohibitory bill, consisting of a great number of clauses, totally interdicting all trade and intercourse with the thirteen colonies. All the property of Americans, whether of ships or goods, on the high seas, or in the harbour, are to be forfeited to the captors, being the officers and crews of his Majesty's ships of war; the Boston port bill, the fishery bill, and restraining acts, are to be repealed, as their operation, in some cases, interferes with that of the intended law, and in others, their provisions are deemed insufficient in the present state of warfare. By this bill also, the crown may appoint commissioners; who, besides the power of simply granting pardons to individuals, are authorised to enquire into the general and particular grievances, and empowered to determine, whether any part or the whole of a colony were returned to that state of obedience, which might entitle them to be received within the King's peace and protection; in which case, upon a declaration from the commissioners, the restrictions in the present bill were to cease in their favour."

The gentlemen in opposition considered these clauses as an effectual end put to the hopes of reconciliation, and amounting to an abdication of our government over the colonies. They would, of course, apply to foreign power, turn their merchant ships into privateers, and injure our West India trade. Such offers of pardon, so far from being accepted, must exasperate men who consider themselves as the aggrieved, not the aggressors. Will any colony abandon it's claim of redress, merely

merely on a promise that it shall be exempted from commercial seizure? Will that compensate for the many grievances they complain of? On the contrary, they will open their ports to foreigners, and infallibly involve us in a foreign war. This incongruous mixture of war and reconciliation seems intended to intrap the house into an assent to the whole on account of a part. But, above all, what a fatal blow is given to the heroism and disinterested zeal of this country, by the clause which relates to seizures? The minds of the bravest will be invaded by avarice, and the ancient character of the English seaman will be swallowed up in the meanest passions, more derogatory from their reputation than cowardice itself; and more destructive to the country, because more out of the reach of any controul. The powers granted to the commissioners, are greater than ought to be granted to any set of men in a free government, powers even more extensive than the crown itself possesses; and when at any time the crown exercised such powers in any degree, ministers were answerable for the conduct.

In support of the bill, the friends of administration replied, "that the spirited continuation of the war rendered every preparation, both by sea and land, absolutely necessary; and that, in proportion to the haste with which measures of coercion were urged, and in proportion to the resoluteness and strength of those measures, would be the advantages to us. The hardships which are thought to result from the bill to the West India merchants, are such as are compatible with the nature of war, and to be expected; but America will now have the choice of two things, reconciliation or war; the commissioners are to proffer both. All that is required, and which each colony

lony may perform for itself, is to contribute towards the support of government, and thereby receive it's protection, and be exempted from the hardships that must fall on the rebellious. If this is not attended to, the plan of coercion will be put into execution; and in such a case as the present, shall America, without resources, and without a single ship of war, dare to encounter the navy of Great Britain, or attempt our colonies while defended by that navy? All foreign powers know their interest cries loud against the encouragement of rebellious colonies, not to speak of the assurances of friendship towards us which we have from them. There is nothing so incongruous as gentlemen pretend in this bill; war and peace must be alternatives in every such contest; and if we had omitted any proposals of a pacific kind altogether, what would opposition have said then? In a word, the colonies have their choice; we must prepare for the worst, and afterwards think ourselves acquitted from any charges of cruelty, or arbitrary intentions."

In the course of this bill, through it's various readings, some amendments were proposed, but little attended to. Mr. Fox, who had now attained to a high degree of eminence as a parliamentary speaker, moved to leave out the whole title and body of the bill, excepting what related to the Boston port, the fishery, and the restraining acts. Some proposed that the bill should be postponed for a few days, as the West India merchants and planters had advertised for a meeting of their body upon that subject, thereby to give them an opportunity of laying any evidence or information they should think proper before the house.—One moved that it should be divided into two separate bills of coercion and conciliation.

Another

Another thought it should be entitled "A bill for carrying more effectually into execution the resolves of the Congress." All these were rejected, as well as others for putting off the consideration of the bill till full information could be got from the West India merchants. On the last reading, the bill passed by a majority of an hundred and twelve to sixteen only; most of the members on the side of opposition having left the house, seeing all attempts to throw out the bill fruitless. In the House of Lords the fate of this bill was equally happy for administration being passed by a great majority. Besides the arguments against it, introduced in the debates, a protest was entered on the second reading. Some few alterations, having been proposed, were adopted by the Commons, after many endeavours, on the side of opposition, to defer the final passing till after Christmas.

During the progress of this prohibitory bill in the House of Commons, Mr. Fox moved to lay before the house an account of the expences of the staff, hospitals, extraordinaries, and all military contingencies whatsoever, of the army in America, from August 1773 to August 1775 inclusive. A negative was put upon this motion without a division; ministers complained that it was a breach of regularity to demand such accounts, when no business pending in the house required them. Mr. Fox maintained, that if such accounts should be given, they would shew, that the expence of ordnance, in 1775, had exceeded that in any of the Duke of Marlborough's campaigns, and would lay open a scene of ministerial delusion which many of the house little expected, particularly in the affair of all the estimates, in which the minister had incurred a debt of 240,000*l.* although every provision

vision had been made from his own plans.—When the militia bill was read a third time, a rider was received, limiting it's duration to seven years; the bill then passed. On the third reading of the indemnity bill, a very warm debate took place; the minister, who in the beginning wished to frame this bill agreeable to the country gentlemen, now, in the absence of the greater part of them, changed his tone, declaring that, as far as his vote went, he would support the bill in it's original state; he wanted no indemnity, he was conscious of no fault; after, therefore, the rejection of an amendment, in which the introduction of foreign troops was allowed to be contrary to law and the spirit of the constitution, this bill passed in it's original state. In the House of Lords, however, it was rejected without defence or division. The Marquis of Rockingham asserted it's absurdity in stating an indemnity, while the persons indemnified were at the same time declared to be guilty of no offence. The Lords in administration seeing no occasion for any indemnity at all, concurred with the Marquis in it's absurdity.

Mr. Oliver, about this time, moved for an address to his Majesty, to impart to the house the original authors and advisers of the late measures relative to America, before these measures were proposed in parliament. The opposition neither were advertised, nor approved of this motion, and it appeared to be unparliamentary, and expressive of a doubt that ministers had not been the advisers of the measures; it was thrown out by an hundred and sixty-three to ten only. Mr. Hartley, after this, attempted to propose a mode of reconciliation with America, which he was then rather inclined to do, as Britain seemed to be indifferent about taxation, and Congress admitted, or were willing

willing to admit, a general superintendency in parliament. A total repeal of all the obnoxious laws since the year 1763, and a general indemnity, were the principal heads of this bill; but these having undergone a full discussion before, the debate now was very short, and only one of the resolutions which he proposed admitted of a division, the rest being rejected without it.

The recess for the holidays now took place, which gives us an opportunity to take notice of some changes in the ministry during the first part of this session. The privy seal, vacant by the resignation of the Duke of Grafton, was given to the Earl of Dartmouth, who resigned the secretaryship of the American department; Lord George Sackville Germaine succeeded him, who once had been attached to opposition, and a zealous friend of Mr. Grenville, after whose death he gradually came over to the side of administration, and had voted with them in favour of all the late measures regarding America. Lord Weymouth succeeded the Earl of Rochford, as secretary for the southern department.

The first business of any consequence, after the recess, related to Ireland. The Lord Lieutenant of that kingdom had sent a written message 1776. to the House of Commons, containing a requisition, in the King's name, of four thousand additional troops from that kingdom for the American service, not to be paid by that establishment during their absence, and, if desired by them, to be replaced by an equal number of foreign protestant troops, the charges of which should be defrayed without any expence to Ireland. The Commons granted four thousand troops, but rejected the offer of foreign troops; and the patriotic members wished rather to em-
body

body the militia for their internal defence. But this liberty of disposing the public money, without the knowledge of the British House of Commons, was not to be overlooked. A motion was accordingly made by Mr. Thomas Townsend, "That the Earl of Harcourt, Lord Lieutenant General, and General Governor of Ireland, did, "on the 23d of November last, in breach of the "privilege, and in derogation of the honour and "authority of this house, send a written message to "the House of Commons of the parliament of "Ireland, signed with his own hand, to the following effect, &c." It was then moved that a committee should be appointed to enquire into the matter, and to report the same, as it shall appear to them, to the House. The supporters of the motion argued strongly in defence of the privileges of the House of Commons, particularly the power of granting money, as being a trust of the first importance, and the only means of controul over the influence of the crown; that the house had always censured very highly the House of Lords, in any attempt to wrest this privilege from them; but they were much more jealous now, when such an attempt was made by a minister. Some considered this message as an experiment, to try if the Irish parliament could be brought to admit foreign troops into that kingdom, and tended, in a manner by no means indirect, to bring parliament entirely under the controul of the crown. It was in some degree, however, an agreeable circumstance, that the scheme, as intended, had not yet been carried into execution; but the design no less involved the Lord Lieutenant in censure. The English minister disavowed any specific instructions upon which it might and had been supposed the message must have been founded,

and

and that he was not responsible for the conduct of his Majesty's servants in that kingdom; although the paying for eight thousand men, when only four thousand were wanted, was no doubt erroneous in point of œconomy, but justified by necessity. Others, who opposed the motion, resumed the old argument, that the King could introduce foreign forces into any part of the dominions, when necessary; and that the message was a part of that branch of the prerogative by which the crown raised troops of it's own will, and afterwards applied to parliament for their payment, or effected the same purpose by treaties with foreign princes. This motion being thrown out, another was made for laying the votes of the Irish Commons, relating to this business, before the house. This being likewise rejected without a division, a third was brought in, "That it is highly derogatory to the honour, and a violent breach of the privileges of this house, and a dangerous infringement of the constitution, for any person whatever to presume to pledge his Majesty's royal word to the House of Commons of the parliament of Ireland, "That any
 "part of the troops upon the establishment of
 "that kingdom shall, upon being sent out of that
 "kingdom, become a charge upon Great Bri-
 "tain," without the consent of this house, or for any person to presume to offer to the House of Commons of the parliament of Ireland, without the consent of this house, "That such national
 "troops, so sent out of Ireland, shall be replaced
 "by foreign troops, at the expence of Great Bri-
 "tain." This motion also was lost without a division.

Near the end of February Mr. Fox made a motion, "That it be referred to a committee, to en-
 "quire into the causes of the ill success of his Ma-
 "jesty's

"jesty's arms in North America, as also into the
 "causes of the defection of the people of Quebec."
 Mr. Fox, in his introductory speech, disclaimed
 any intention to renovate the arguments against
 the late measures of administration; these might
 admit of doubts; he would even for the time sup-
 pose them right, and now only enquire where the
 mismanagement, misconduct, incapacity, or ne-
 glect lay. Such misconduct had been condescended
 on, even by the ministry; he wished, therefore, to
 bury for a time all former causes of dispute, and
 direct the attention of the committee to the causes
 of failure since the month of February 1775, the
 æra from whence coercive measures were to be
 dated.—A debate of great length ensued. The
 friends of ministry threw the blame of our failure
 entirely on the Americans, who were busily strength-
 ening their rebellious purposes, while we, with a
 lenity that reflects the greatest honour on the na-
 tion, were taking every method to promote a re-
 conciliation; they were employing their swords,
 while we were only unsheathing them. The un-
 expected change of affairs, too, was brought as an
 excuse; that change having rendered the best
 planned operations inefficacious; and much suc-
 cess was not to be expected on the first outset in a
 business of such consequence, and to be transacted
 at such a distance. This was not the season, nor,
 as many persons who might be examined were
 abroad, had we the necessary *data* for information.
 Great hopes, however, were to be conceived from
 the late vigorous exertions. The majority against
 the motion, upon a division, at three in the morn-
 ing, was two hundred and forty; an hundred and
 four endeavoured to support it.

Long and continued debates now were occa-
 sioned by the treaties lately entered into between

his Majesty and the Landgrave of Hesse Cassel, the Duke of Brunswick, and the hereditary Prince of Hesse Cassel, for the hiring of different bodies of their troops for the American service, amounting in the whole to about 17,000 men. The minister moved to refer these treaties to a committee of supply. On the side of ministry great necessity, general policy, and national expediency, were pleaded as sufficient excuses. The opposition, in both houses, argued powerfully against the measure, and wished that his Majesty could be induced to remand these troops; the danger of the measure itself, the expence attending the troops, and the little probability of their success, were repeatedly urged. The Lords entered a protest, and, during the whole debate in each house, there was an energy and strength in the arguments of opposition, that bade fair for a reversion of the treaties. Upon a division, however, the majorities in favour of the ministry were great as usual.—The expence attending this ruinous war was again noticed by the opposition, when the Secretary at War moved for 845,165*l.* towards defraying the extraordinary expences of the land forces, and other services, incurred between the 9th of March, 1775, and the 31st of January, 1776. Neither the expences of the campaign in 1704, nor that in 1760, had in any degree equalled the campaign of Boston in 1775, where every man of the forces cost the nation near one hundred pounds in the short period of a year. If so, how could we expect to maintain 50,000 men, with a suitable naval force? Ministers were at a loss to know what answer to make to these and like questions; they were willing, they said, to give up their own opinions in the conduct of American affairs; they had hitherto obeyed the voice of parliament,

parliament, and would always do so. They had been mistaken in regard to America; it had never entered their thoughts that all the colonies would join with Massachusset's-bay, much less that they could ever have been able to give obstruction to our forces at Boston: they now were convinced of their error, and hoped that the expence attending this session would render œconomy afterwards more easy and more obvious. The ministry in this, as in every other motion, carried their point by a prodigious majority.

Not intimidated with the discouragement given to conciliatory plans from the quarter of opposition, the Duke of Grafton made another attempt, by a motion for an address, "That, in order to prevent a farther effusion of blood, and to manifest how desirous the King and parliament are to restore peace to all the dominions of the crown, and how earnestly they wish to redress any real grievances of his Majesty's subjects, a proclamation might be issued, declaring, that if the colonies, within a reasonable time, before or after the arrival of the troops destined for America, shall present a petition to the commander in chief, or to the commissioners appointed under the late act; setting forth, in such petition, which is to be transmitted to his Majesty, what they consider to be their just rights and real grievances; that, in such case, his Majesty will consent to a suspension of arms; and that he has authority from his parliament to assure them, that their petition shall be received, considered, and answered."—On this motion, it was declared by the Lords connected with administration, that a conciliation was now impossible, and that the only alternative lay between absolute conquest and unconditional submission. The majority for rejection was as three

to one. This new phrase, *unconditional submission*, originated from Lord George Germaine, who introduced the doctrine into the House of Commons, from whence it easily found its way into that of the Lords.—This session concluded with some new attempts, equally ineffectual, to obviate the inconveniences which the war was about to bring on trade. A proposal for a militia in Scotland was quickly rejected, and after a vote of credit had been obtained for a million to answer any intermediate service, his Majesty put an end to the session on May the 23d. In the speech, his Majesty expressed the usual satisfaction with their proceedings; that no alteration had taken place in the state of foreign affairs; the Commons were thanked for their readiness and dispatch in granting the supplies, which unavoidably were this year extraordinary; a proper frugality was promised, and it was observed, that they were engaged in a great national cause, the prosecution of which must be attended with great difficulties, and much expence; but when they considered that the essential rights and interests of the whole empire were deeply concerned in the issue of it, and could have no safety or security but in that constitutional subordination for which they were contending, it afforded a conviction that they could not think any price too high for such objects. His Majesty hoped, that his rebellious subjects would be awakened to a sense of their errors, and, by a voluntary return to their duty, justify the restoration of harmony; but if a due submission should not be obtained from such motives and dispositions on their part, it was trusted that it should be effectuated by a full exertion of the great force with which they had entrusted his Majesty. Thus ended this memorable session, in which

which every hope of peace was destroyed, every prospect of reconciliation darkened, and which gave no reason to expect, that coercive measures would produce effects more salutary for either side than they had hitherto done.

In the mean time, the war in America continued to be prosecuted with unabating ardour on both sides. During a most unfavourable winter, the King's troops at Boston suffered the greatest distress, being in want of provisions and firing, and no possibility appearing that either could be procured without accumulated distress and danger. Many of the transports sent from England had by adverse winds fallen into the hands of the enemy. The advantages at this time seemed to be on the side of the provincials, who lay before Boston, were well covered, and plentifully supplied in their lines. Their animation in the cause of liberty received additional fire, when they came to hear of the fate of the petition which congress had sent to the King; for some months, however, no blood was shed; an ordnance ship having been taken by one of their privateers was of great service, as she contained cannon, small arms, and ammunition of the most needful kinds. The arrival of the prohibitory act, in the beginning of March, changed the mode of their operations. Having opened a battery near the water side, at a place called Phipp's Farm, and immediately after another, on the other side of the town; with these they began to bombard the town. The King's army were in the utmost danger, and saw no alternative but to abandon the town, or destroy the new works of the enemy. The latter design was adopted, but unhappily prevented by a storm, rendering the embarkation impracticable. General Howe was much disappointed by this failure;

it appeared to him to be very disgraceful to yield up the town to a banditti of raw inexperienced men. Determined to make another effort, and prove the excellency of his troops, he now was met by a difficulty which it was not in his power to obviate; the enemy had in the interim thrown up a new work, stronger than any of the former, and the whole compleatly fortified; Boston was no longer to be kept. The confusion attending the embarkation of the troops and inhabitants may not be easily conceived, to express it is still more impossible; it was not merely the retreat of an army, it was the emigration of a populous city. General Howe sustained his distresses and disappointments with great fortitude. Indeed he needed it; it is not easy to calm the discontents of an army situated as his was, and who thought themselves abandoned to perish in misery and shame, no advices having been received from home since October last. The embarkation took up about ten days, during which time the provincials remained quiet; but as the rear embarked, General Washington, with drums beating, and colours flying, marched into the town. He was received with every mark of respect; and found that the King's army had left a considerable quantity of stores behind, and cannon on the works, which they either had neglected, or had not leisure to destroy. While these favourable circumstances cheered the minds of the Americans, the English forces proceeded on their voyage to Hallifax, leaving some ships of war behind to protect the vessels which should arrive from England; a business not attended without difficulties, many of the ships being afterwards taken by the privateers belonging to the provincials. At this time, it is said, the King's army did not exceed nine thousand effective men, and

and these but ill provided with the necessaries which their perilous situation demanded. General Washington turned his thoughts towards fortifying Boston; and being apprehensive that General Howe might attempt New York, he detached some regiments to that city.

But the provincials, in other parts of the continent, had many difficulties to struggle with. At this time, Arnold continued the blockade of Quebec; and being but slowly reinforced, and not finding that assistance from the Canadians which he expected, his situation became very critical. General Carleton suffered much too from the want of supplies. Both armies contended which should discover the greatest fortitude in bearing reiterated disappointments. The Americans, knowing that the time of succour from England now approached, made many vigorous attempts to possess themselves of this important place before the reinforcements should arrive. The activity of Carleton baffled all their schemes; and the small-pox having broke out among them, and carried off great numbers of the men, as well as spread universal consternation, it was projected to raise the siege. While preparations were making for this, the Isis man of war and two frigates arrived at Quebec, at a time when a passage through the ice was deemed impracticable. Reinforced by some troops on board these ships, General Carleton marched out immediately to face the besiegers, who fled on all sides in the utmost confusion, leaving their stores, artillery, &c. to the conquerors; the sick only, however, were made prisoners, the King's forces not being in a condition, and not thinking it prudent to follow. By the operations of this day (May 6) was Canada preserved. A number of the sick and wounded

provincials, being in danger of perishing in the neighbouring woods by want and disease, the governor ordered them to be cared for with humanity and tenderness, assuring them, that as soon as they were recovered they should be at liberty to go where they pleased. By additional forces from Great Britain, and other places, the army of this province now amounted to 13,000 men, whose general rendezvous was fixed at Three Rivers, half way betwixt Quebec and Montreal.

This loss did not lessen the enterprizing spirit of the provincials. Encumbered as they were with every difficulty that can depress the mind of man, they formed a design of surprizing that part of the King's forces which lay at Three Rivers, under the command of General Frazer. The expedition was undertaken by a Major General Thomson, with two thousand men, who embarked at Sorel, on the borders of which the whole provincial army was encamped, and arrived at Three Rivers on June the eighth; but General Frazer, having got intelligence of the intended surprize, was prepared to meet them; and Brigadier Nesbit having at the same time landed his forces in the rear of the provincials, the latter were under a necessity of attempting a retreat. The British troops pursued them with every advantage till tired, when the woods afforded the provincials a shelter. Thomson, with the second in command, and two hundred others, were taken prisoners, with little loss on the side of the King's army, who pushed on to Sorel, but found that the enemy had abandoned that situation, and afterwards Montreal, carrying off what stores and artillery they could. By these vigorous and well-supported exertions of the King's troops, an end was put to the war in Canada, where the army
was

was confined, till such a number of vessels should be procured as to enable them to traverse Lake Champlain, of which the enemy were now masters.

In North Carolina, Governor Martin formed high expectations, that with the strength which he now possessed, and that which was expected from home, he should be able to reduce this province to obedience. His forces, consisting of the *regulators*, as they were called, and the Highland emigrants, both remarkable for warlike disposition, were headed by a Mr. M'Donald. Brigadier General Moore, hearing that they were assembled at a place called Cross Creek, immediately marched with what provincial force he could muster, and took possession of Rockfish-bridge, an important post. In a few days, General M'Donald sent him a proclamation, requiring him to lay down his arms. In return, Moore reminded the emigrants of the ungrateful return they made for the kind reception they had met with in the colony, and the general of an oath which he and his officers had taken, that they were not to meddle in public affairs. In his turn he informed them, that if they did not lay down their arms, they might expect the same treatment which they threatened the provincials with. Upon this M'Donald endeavoured to make his escape; but being closely pursued, was forced to engage with a Colonel Caswell, who headed about a thousand men. The event was fatal for M'Donald, who was taken prisoner, with many of his officers, after a considerable number had been killed, and the whole dispersed. The royal army were avowedly fifteen hundred, some say three thousand; but M'Donald allows the former number. Every circumstance attending this victory enlivened the provincials. At sea the success of their measures

is not to be overlooked. They committed several depredations, and took some ships of considerable force. Lord Dunmore's situation became every day more and more calamitous: want of provisions, and pent-up air, owing to the excessive heats, and crowded ships, produced the pestilential fever, which proved fatal to many; and about the beginning of August the exiles were compelled to seek refuge in Florida, Bermudas, and the West Indies. A variety of perplexing accidents rendered the designs of Britain abortive. Sir Peter Parker's Squadron, which sailed from Portsmouth in December, did not arrive at Cape Fear till May, where they found General Clinton and Lord Dunmore.

Sir Peter Parker's fleet anchored off Charlestown-bar, in the beginning of June. It consisted of two fifty-gun ships, four frigates of twenty-eight each, one of twenty-two, one of twenty, a sloop of war, an armed schooner, and the Thunder bombketch. The land forces were commanded by General Clinton, Lord Cornwallis, and Brigadier General Vaughan. After passing the bar, the forces proposed to attack a fort of great consequence upon the south-west point of Sullivan's-island. After some unavoidable delay, the attack was begun on June the 20th, by a most furious cannonade from the ships. The return from the fort was unexpectedly great, the ships suffered much, and many lives were lost on both sides. Their valour was put to a severe test. The officers on some of the British ships encountered danger with incredible intrepidity. The relations, however, which we had of the whole engagement, abound with obscurities; and imputations were thrown out upon the conduct of our troops, which it was not easy to defend, or gainsay.

gain say. In the evening, Sir Peter Parker, finding that no hope of success remained to justify any farther attack, retreated with his shattered vessels, several of which were almost entirely rendered useless. General Lee and Colonel Moultrie, who commanded the garrison and fort, merited and received distinguished marks of approbation.

Cut off from all prospect of reconciliation, irritated even by their very successes, the Congress entered into a declaration of independency. Pennsylvania and Maryland appeared in some degree reluctant on this occasion, but soon coincided with the other colonies; and on July the 4th, a fatal day to Great Britain, the thirteen English colonies in America declared themselves independent states. In this declaration, they exhibited the reasons assigned by the Continental Congress, for the North American colonies and provinces withdrawing their allegiance to the King of Great Britain. As this forms an æra of the first importance in our annals, no apology is necessary for interrupting the relation of the beligerent progress, by a copy of it. "When," said the colonies, "in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature, and of nature's God, entitle them, a decent respect to the opinions of mankind requires, that they should declare the causes which impel them to the separation.

"We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit
of

of happiness. That to secure these rights, governments are instituted amongst men, deriving their just powers from the consent of the governed; and whenever any form of government becomes destructive to these ends, it is right of the people to alter or abolish it, and to institute a new government, laying it's foundation on such principles, and organizing it's powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly, all experience has shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed; but, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over the states. To prove this, let facts be submitted to a candid world.

“ He has refused his assent to laws, the most wholesome and necessary for the public good. He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. He has refused to pass other laws

laws for the accommodation of large districts of people, unless those people would relinquish the rights of representation in the legislature; a right inestimable to them, and formidable to tyrants only. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures. He has dissolved representatives houses repeatedly, for opposing with manly firmness his invasions on the rights of the people. He has refused, for a long time after such dissolution, to cause others to be erected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. He has endeavoured to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their emigrations hither, and raising the conditions of new appropriations of lands. He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers. He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries. He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people, and eat out their subsistence. He has kept among us, in times of peace, standing armies, without the consent of our legislatures. He has affected to render the military independent of, and superior to the civil power. He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws, giving
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his assent to their pretended acts of legislation; for quartering large bodies of armed troops among us; for protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us, in many cases, of the benefit of trial by jury; for transporting us beyond seas to be tried for pretended offences; for abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging it's boundaries, so as to render it at once an example, and a fit instrument for introducing the same absolute rule into these colonies; for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our government; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.—He has abdicated government here, by declaring us out of his protection, and waging war against us. He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people. He is, at this time, transporting large armies of foreign mercenary troops, to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation. He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands. He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages,

savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.—In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people. Nor have we been wanting in attention to our British brethren; we have warned them, from time to time, of attempts, by their legislature, to extend an unwarrantable jurisdiction over us; we have reminded them of the circumstances of our emigration and settlement here; we have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must therefore acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.—We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, FREE AND INDEPENDENT STATES, and that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances,

establish

establish commerce, and to do all other acts and things which independent states may of right do."—

Before we proceed to give an account of the operations of the King's army after this declaration, it will be proper to record the articles of confederation and perpetual union between the colonies, entered into in October following. The substance of these articles was, "The thirteen states, New Hampshire, Massachusets-bay, Rhode-island, Connecticut, New York, Pennsylvania, the counties of Newcastle, Kent, and Suffex, on Delaware river, Maryland, Virginia, North Carolina, South Carolina, Georgia, confederate themselves under the title of The UNITED STATES of AMERICA.— They contract, each in their own name, by the present constitution, a reciprocal treaty of alliance and friendship for the common defence, for the maintenance of their liberties, and for their general and mutual advantage; obliging themselves to assist each other against all violence that may threaten all or any one of them, and to repel in common all the attacks that may be levelled against all or any one of them, on account of religion, sovereignty, commerce, or under any pretence whatsoever. Each state reserves to themselves alone the exclusive right of regulating their internal government, and of framing laws, in all matters, that are not included in the articles of the present confederation, and which cannot any way prejudice the same. No state in particular shall either send or receive embassies, begin any negotiations, contract any engagements, form any alliances, conclude any treaties with any king, prince, or power whatsoever, without the consent of the United States, assembled in general congress. No person, invested with any post whatever under the

the authority of the United States, or any of them, whether he has appointments belonging to his employments, or whether it be a commission purely confidential, shall be allowed to accept any presents, gratuities, emoluments, nor any offices or titles of any kind whatsoever, from any kings, princes, or foreign powers. And the general assembly of the United States, nor any state in particular, shall not confer any title of nobility. Two, nor several of the said states, shall not have power to form alliances or confederations, nor conclude any private treaty among themselves, without the consent of the United States assembled in general congress, and without the aim and duration of that private convention be exactly specified in the consent. No state shall lay on any imposts; nor establish any duties whatever, the effect of which might already alter, directly or indirectly, the clauses of the treaties to be concluded hereafter by the assemblies of the United States, with any kings, princes, or power whatsoever. There shall not be kept by any of the said states in particular, any vessels or ships of war above the number judged necessary by the assembly of the United States, for the defence of that state and it's commerce; and there shall not be kept on foot, in time of peace, by any of the said states, any troops above the number determined by the assembly of the United States, to guard the strong places or forts necessary for the defence of that state; but each state shall always keep up a well-disciplined militia, sufficiently armed and equipped, and shall be careful to procure, and keep in constant readiness, in the public magazines, a sufficient number of field-pieces and tents, with a proper quantity of ammunition and implements of war. When any of the said states

shall raise troops for the common defence, all the officers, of the rank of colonel and under, shall be appointed by the legislative body of the state that shall have raised the troops, or in such manner as that state shall have judged proper to regulate the nominations; and when any vacancy happens in these posts, they shall be filled up by the said states. All the expences of war, and all other disbursements, that shall be made for the common defence, or the general weal, and that shall be ordered by the assembly of the United States, shall be paid out of the funds of a common treasury. That common treasury shall be formed by the contribution of each of the aforesaid states, in proportion to the number of inhabitants of every age, sex, or quality, except the Indians exempt from taxes in each state: and in order to fix the quota of the contributions, every three years the inhabitants shall be numbered, in which enumeration the number of white people shall be distinguished, and that enumeration shall be sent to the assembly of the United States. The taxes appropriated to pay this quota, shall be laid and levied in the extent of each state by authority and order of it's legislative body, within the time fixed by the assembly of the United States. Each of the said states shall submit to the decisions of the United States, in all matters or questions reserved to that assembly by the present act of confederation. No state shall engage in war without the consent of the United States assembled in Congress, except in case of actual invasion of some enemy, or from a certain knowledge of a resolution taken by some Indian nation to attack them, and in that case only in which the danger is too urgent to allow them time to consult the other states. No particular state shall give any commission to vessels, or other ships

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of war, nor any letters of marque or reprisal, till after a declaration of war made by the assembly of the United States; and even in that case they shall be granted only against the kingdom or the power, or against the subjects of the kingdom or of the power, against which war shall have been so declared; and shall conform, respecting these objects, to the regulations made by the assembly of the United States. In order to watch over the general interest of the United States, and direct the general affairs, there shall be nominated every year, according to the form settled by the legislative body of each state, a certain number of delegates, who shall sit at Philadelphia until the general assembly of the United States shall have ordered otherwise; and the first Monday in November in each year shall be the æra fixed for their meeting. Each of the above-mentioned states shall preserve the right and power to recall, at any time whatever of the year, their delegates, or any one of them, and to send others in the room of them for the remainder of the year; and each of the said states shall maintain their delegates during the time of the general assembly, and also during the time they shall be members of the council of state, of which mention shall be made hereafter. Each state shall have a vote for the decision of questions in the general assembly. The general assembly of the United States shall alone and exclusively have the right and power to decide of peace or war, except in the case of any particular state being invaded, as before-mentioned;—to establish rules for judging in all cases the legitimacy of the prizes taken by sea or land, and to determine the manner in which the prizes taken by the land or sea forces, in the service of the United States, shall be divided or employed;—to grant letters of

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marque or reprisal in time of peace ;—to appoint tribunals to take cognizance of piracies, and all other capital crimes committed on the high seas ;—to establish tribunals, to receive appeals, and judge finally in all cases of prizes ;—to send and receive ambassadors ;—to negotiate and conclude treaties or alliances ;—to decide all differences actually subsisting, and that may hereafter arise, between two or several of the above-mentioned states, about limits, jurisdictions, or any other cause whatsoever ;—to coin money, and fix it's value and standard ;—to fix the weights and measures throughout the whole extent of the United States ;—to regulate commerce, and treat of all affairs with the Indians who are not members of any of the states ;—to establish and regulate the posts from one state to another, in the whole extent of the United States, and to receive on the letters and packets sent by post the necessary tax to defray the expence of that establishment ;—to appoint the general officers of the land forces in the service of the United States ;—to give commissions to the other officers of the said troops, who shall have been appointed by virtue of the article above-mentioned, relative to the appointment of colonels and inferior officers ;—to appoint all the officers of marine in the service of the United States ;—to frame all the ordinances necessary for the government and discipline of the said land and sea forces, and to direct their operations. The general assembly of the United States shall be authorised to appoint a council of state, and such committees and civil officers as they shall judge necessary for guiding and dispatching the general affairs, under their authority, while they remain sitting ; and after their separation, under the authority of the council of state. They shall chuse for

for president one of their members, and for secretary the person whom they shall judge fit for the place; and they may adjourn at what time of the year, and to what place in the United States they shall think proper. They shall have the right and power to determine and fix the sums necessary to be raised, and the disbursements necessary to be made;—to borrow money, and to create bills on the credit of the United States;—to build and fit out fleets;—to determine the number of troops to be raised or kept in pay;—and to require of each of the aforesaid states, to compose the army, a contingent proportioned to the number of it's white inhabitants. These requisitions of the general assembly shall be binding, and, in consequence, the legislative body of each state shall nominate the particular officers, levy the men, arm and equip them properly; and these officers and soldiers, thus armed and equipped, shall proceed to the place, and within the time fixed by the general assembly. But if the general assembly, from some particular circumstances, shall think proper to exempt one of the several states from raising troops, or to demand of them less than their contingent, and should, on the contrary, judge it convenient that one or several others should raise more than their contingent; the number extraordinary demanded shall be raised, provided with officers, armed and equipped, in the same manner as the contingent, unless the legislative body of that, or of those of the states to whom the requisition shall have been made, should deem it dangerous for themselves to be drained of that number extraordinary, and in that case they shall furnish no more than what they think compatible with their safety; and the officers and soldiers so raised and equipped, shall go

to the place, and within the time fixed by the general assembly. The general assembly shall never engage in any war, nor grant letters of marque and reprisal in time of peace, nor contract any treaties of alliance, or other conventions, except to make peace, nor coin money, or regulate it's value, nor determine or fix the numbers to be raised, or the disbursements necessary to be made for the defence or advantage of the United States, or of some of them, nor create bills, nor borrow money on the credit of the United States, nor dispose of any sums of money, nor resolve on the number of any ships of war to be built or purchased, or on the number of troops to be raised for land or sea service, nor appoint a commander in chief of the land or sea forces, but by the united consent of nine of the states; and no question on any point whatsoever, except for adjourning from one day to another, shall be decided but by a majority of the United States, No delegate shall be chosen for more than three years out of six. No person invested with any employment whatever in the extent of the United States, and receiving, by virtue of that employment, either by himself, or through the hands of another for him, any salaries, wages, or emoluments whatever, shall be chosen a delegate, The general assembly shall publish every month a journal of their sessions, except what shall relate to treaties, alliances, or military operations, when it shall appear to them that these matters ought to be kept secret. The opinions *pro* and *con* of the delegates of each state, shall be entered in the journals as often as any one of the delegates shall require it; and there shall be delivered to the delegates of each state, on their demand, or even to any one of the delegates of each state, at his particular

particular requisition, a copy of the journal, except of the parts above-mentioned, to be carried to the legislative body of his respective state. The council of state shall be composed of one delegate, of each of the states, nominated annually by the other delegates of his respective state; and the case where these electors might not be able to agree, that delegate shall be nominated by the general assembly. The council of state shall be authorised to receive and open all the letters addressed to the United States, and answer them; but shall not contract any engagements binding to the United States; they shall correspond with the legislative bodies of each state, and with all persons employed under the authority of the United States, or of some of the particular legislative bodies. They shall address themselves to those legislative bodies, or to the officers to whom each state shall have intrusted the executive power, for aid and assistance of every kind, as occasion shall require. They shall give instructions to the generals, and direct the military operations by land or sea; but without making any alterations in the objects or expeditions determined by the general assembly, unless a change of circumstances intervening and coming to their knowledge since the breaking up of the assembly, should render a change of measures indispensably necessary. They shall be careful of the defence and preservation of the fortresses or fortified posts. They shall procure information of the situation and designs of the enemy. They shall put in execution the measures and plans that shall have been resolved by the general assembly, by virtue of the powers with which they are invested by the present confederation. They shall draw upon the treasurers for the sums, the destinations of which shall have been settled by the general assembly, and

for the payment of the contracts which they may have made by virtue of the powers that are granted to them. They shall inspect and reprove, they shall even suspend all officers, civil or military, acting under the authority of the United States. In the case of death or suspension of any officer whose nomination belongs to the general assembly, they may replace him by what person they think proper, until the next assembly. They may publish and disperse authentic accounts of the military operations. They may convene the general assembly for a nearer term than that to which they had adjourned when they separated, if any important or unexpected event should require it for the welfare and benefit of the United States, or of some of them. They shall prepare the matters that are to be submitted to the inspection of the general assembly, and lay before them at the next sitting, all the letters or advices by them received, and shall render an exact account of all that they have done in the interim. They shall take for their secretary a person fit for that employment, who, before he enters on his function, shall take an oath of secrecy and fidelity. The presence of seven members of the council will empower them to act. In case of the death of one of their members, the council shall give notice of it to the colleagues of the deceased, that they may chuse one of themselves to replace him in the council until the holding of the next general meeting; and in case there should be but one of his colleagues living, the same notice shall be given to him, that he may come and take his seat until the next sitting. In case that Canada should be willing to accede to the present confederation, and come into all the measures of the United States, it shall be admitted into the union, and participate in all

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its benefits; but no other colony shall be admitted, without the consent of nine of the states. The above articles shall undergo no alteration, nor any of them, unless that the alteration be previously determined in the general assembly, and confirmed afterwards by the legislative bodies of each of the United States. Resolved and signed at Philadelphia, in Congress, October the 4th, 1776."

Such were the grievances, by the pressure of which the Americans were compelled to throw off the government and allegiance of Great Britain, and such were the regulations by which the colonies were, for the present war, at least, to be directed. From this time we may consider the thirteen states as entirely lost to Great Britain: we have only now to follow the track which her servants prosecuted in the momentous work of reducing America to obedience by force of arms. The relief of Quebec, and the redemption of Canada, being in a great degree accomplished, the next object was to reduce the city and province of New York. Many circumstances pointed out this as a practicable design, and the advantages attending the reduction were too great to allow them to abandon the attempt on the appearance of common dangers. Admiral Lord Howe, and his brother, the general, followed by an army consisting of 13,000 Hessians and Waldeckers, undertook the expedition. An army of this number, strengthened by a powerful fleet, promised much. Reinforcements were expected from England; but, without waiting for them, General Howe, with Admiral Shuldham, and the fleet and army from Halifax, arrived about the beginning of July, at Sandy-hook, near New York, every approachable part of which he found strongly fortified. He landed on Staten-island, and was received

ceived with great joy by a number of loyalists; and both in his passage thither, and after his arrival, was joined by such considerable bodies, that the greatest expectations of success began to be formed. Lord Howe followed and joined his brother about the middle of the same month, and by a flag sent circular letters to the governors of the colonies, informing them of the powers which Britain had vested in his brother and himself. Similar notice was sent to General Washington; who returned for answer, (in a conference between him and Adjutant General Paterson, who carried the letter,) that as their powers were little more than powers to grant pardons, they who had committed no fault sought no pardon, and that they were only defending their most indisputable rights.

All the forces being arrived, except part of the Hessian troops, it was judged prudent to make the first attack on Long-island, because, among other reasons, it contained a great abundance of such stores as the army would stand in need of. Covered by the fleet, the army landed without opposition near Utrecht and Gravesend, on the south-west end of the island, near the Narrows, where it approaches closest to Staten-island. General Putnam was at this time encamped at Brookland, with a strong force: a range of hills, called the Heights of Guana, lay betwixt his army and the King's. He had the precaution to secure the most important passes, except one, which his servants had neglected, and which was immediately occupied by the King's troops, who, in the morning, (August 23d,) conducted their march with such address, that they hemmed in the provincial army on every side. A dreadful carnage continued for some hours; in which almost a whole regiment from Maryland, consisting of young men of the
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best families, was cut to pieces. The whole loss is said to have amounted to three thousand men, including about one thousand taken prisoners; among the latter were Major General Sullivan, and the Brigadiers General Lord Sterling and Udell, with ten other field-officers. The loss to the British army was very inconsiderable. After the engagement, General Washington hastened to preserve the remainder of the army on Long-island. As matters now were, he could only effect his purpose by a retreat. This he accomplished without the knowledge of the King's army, in the space of one night, and arrived safe at New York. The manner in which he conducted an expedition of such urgent danger, added greatly to his reputation. Soon after, General Howe proposed a meeting with some of the members of Congress, in order to a negociation for peace; but the commissioners, appointed for this purpose by the Congress, having found that his powers extended no farther than to granting pardons, declined all proceedings.

In pursuance of their design upon New York, the first division of the royal army, under the command of General Clinton, Earl Cornwallis, Major General Vaughan, Brigadier General Leslie, and the Hessian Colonel Donop, landed, under the fire of five ships of war, at Kepp's-bay, about three miles north of New York; upon which the provincials were obliged to retreat from the town with great disadvantage, and the loss of their artillery and stores, besides some men killed and wounded in different skirmishes. The remembrance of their former defeat was palpable in their behaviour on this occasion. The King's troops under General Howe had not been long in possession of New York, when it was set on fire
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in three several places, on a day fit for the purpose, and near one-third consumed to the ground. While the provincials were encamped in the northern part of the island, it was purposed to cut off the communication between them and the eastern colonies, in order to bring them to an engagement; if not, it might be adviseable to surround them on all sides, in their fastnesses. General Washington was sensible of his danger, and embarrassed with many difficulties. His troops were not veterans, they were dispirited and diseased. He formed his army into a line of small, detached, and entrenched camps, occupying a great space of high and strong ground. General Howe advanced with great caution, and on the 28th of August the action commenced: the light infantry and Hessian chasseurs drove the provincials' advanced parties back to their works. After securing some important posts, part of the royal army passed the river, and rushed on the enemy, who supported many broken and scattered engagements. After many advantages gained on the side of the royal army, preparations were made to attack the camp in the morning. When that time came, it was found that the enemy had removed their encampment, and considerably strengthened their works; the proposed attack was therefore deferred. General Washington, who foresaw that a general engagement would be of the greatest disadvantage to his troops, removed still farther, and took higher ground, towards the North Castle district. Abandoning the pursuit of him, and finding it impossible to bring him to an engagement, General Howe contented himself with taking this opportunity to seize on the strong holds in York-island, particularly Fort Washington; which, after a brave defence, surrendered to
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General Knyphausen. The loss on neither side was proportioned to the apparent danger. Lord Cornwallis, having passed over North River, in order to take possession of Fort Lee, found that the garrison, consisting of two thousand men, had abandoned it just before his approach, leaving every thing behind. After this, the provincials fled before the King's troops in every quarter: Rhode-island was abandoned by them; and so great was the confusion occasioned by their repeated disappointments, that it was believed they would scarcely make any other attempts to oppose an army which had been uniformly victorious since their landing at Staten-island. The capture of General Lee, in his march to join General Washington, added to the distress of the provincial army, which was said to be now reduced to about three thousand, and those with difficulty kept together. General Washington, being sensible of the advantages which his troops would reap from the presence of a favourite commander, proposed to exchange six field-officers, his prisoners; this was refused, and General Lee treated with great rigour. Every mark of severity which was bestowed on him, was retaliated by General Washington upon the royal prisoners in his custody; so firm and resolute was he, as well as the Congress, even in the midst of the greatest dangers. While Lord Cornwallis was marching victoriously through the Jerseys, and the British army were possessing themselves of every town and post on the Delaware, the Congress, by addresses and otherwise, endeavoured to raise battalions on a plan better calculated than the last for the success of their arms, and to remove that languor which late defeats had occasioned. Large bounties, and many advantages, were held forth; and they were often reminded of the many cruelties which had
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been perpetrated both by the foreign and British troops, but particularly of the depredations committed by the Hessians. But in these attempts to raise supplies and new troops they met with many difficulties. Some degree of coolness appeared among many at this time. In about a month after the taking of New York, the inhabitants of that town and island, amounting to near a thousand, and the freeholders and inhabitants of Queen's county, in Long-island, presented petitions to Lord and General Howe, declaring their acknowledgment of the constitutional supremacy of Great Britain, and praying that the city and country may be restored to peace. These petitions were disregarded. Mean time the Congress judged it safe to remove from Philadelphia to Baltimore in Maryland. Dissentions prevailed among them, relative to the declaration of independency, and some of the members repaired to the commissioners for protection. Those who remained in Philadelphia, but for the activity of General Washington, would have left it defenceless. The season advancing, the British troops went into winter quarters, forming an extensive chain from Brunswick on the Rariton to the Delaware. The campaign, however, was not yet over. Colonels Rail and Dunop, with British and Hessian troops, were disposed at Trenton and Burlington, within twenty miles of Philadelphia. A degree of remissness prevailed in their brigades, owing to the contempt in which they held their enemy. General Washington, aware of this, and of the danger Philadelphia was in, determined to attack separately those bodies which he could not venture to face when together. Having assembled what force he could, he divided them into three parts, to each of which he assigned a particular destination, commanding the principal body himself.

himself. His design was to surprise Rail's brigade at Trenton: in some measure, although not as he planned, this was effected, and, after a smart engagement, in which Colonel Rail was mortally wounded, the three regiments of Rail, Lofeberg, and Knyphausen, surrendered themselves prisoners of war. Other parts of his expedition failed. He passed the Delaware the same evening, carrying with him the prisoners. This victory wonderfully revived the drooping spirits of the Americans, and caused astonishment throughout the British camp. Blame was said to rest on General Howe, for laying so extensive a chain of encampment. The pusillanimous condition of the Americans was a mistake too frequent at this time; not only in the country, but in Britain. Lord Cornwallis marched, a few days after this last affair, to attack the enemy, who held possession of a strong post at Trenton, and whose army had been considerably reinforced. On January the 2d, 1777, a cannonading took place on both sides, and continued till night; but General Washington, knowing the disadvantages he laboured under from great inferiority, withdrew the main body of his forces in the night to Princetown. In the morning they attacked Colonel Mawhood; who forced his way with his regiment, and got safe to Maidenhead. The three regiments under this brave officer suffered severely; nor had the Americans much to boast of, unless in the bravery of intention; they had many more killed. There is a circumstance which may be here remarked, that in almost every engagement the provincials lost the greatest number of men by death. Many reasons have been offered to account for this; the rawness of the troops, and the badness of their arms, appear amongst the most probable conjectures.

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This unexpected success of the provincial army determined Lord Cornwallis to alter his plan, and provide for the safety of Brunswick and Amboy, the only two posts which the royal army retained; where, during the whole winter, he continued blocked up on all hands, and harrassed by frequent encounters with the enemy, who exacted the price of blood for every article of forage which his troops sought after. The American army, in the mean time, recovered nearly the two Jerseys, saved Pennsylvania, and entirely changed the balance of strength, and determined the advantages in their own favour, however victorious and superior the King's army had formerly been. The latter again endeavoured to excite among the Indians a contention with the southern colonies, in their most defenceless parts. They conducted matters with so much skill, that the Indians began to forget the engagements they had so lately entered into with the colonists: some of them even took up arms, and exerted their wonted barbarity; but were soon defeated, with such loss, as not only to render the present design abortive, but to stamp a degree of impracticability on any similar attempt in future. The only circumstance relating to this campaign which remains to be noticed, is the final agreement of the thirteen colonies to these articles of confederation, which have been already recorded.

In England, an unusual inattention to the progress of the war prevailed universally. Victories and defeats were heard of with equal emotion, and the losses which the West India traders began to feel from the seizure of their ships by the Americans, together with frequent failures in the city, had not that awakening power which might have been expected from a people who suffer elation and depression of spirits more from the vicissitudes

tudes of commerce, than any other cause whatever. The peculiar difference of this war from every other in which they had been involved, the great distance of the scene of action, the divided state of opinions, were circumstances that prevented the evidence of that interest which the people of England had been wont to take in affairs of war. The ministry, therefore, impregnable against all opposition, could complain of no obstacles from the want of support or supplies in the prosecution of their intended subjugation of America, which had now carried into execution what they always maintained she aimed at, a declaration of independence. As the great armaments preparing in the Spanish and French ports, together with some suspicious practices of the latter power in the privateering affairs, gave great cause of alarm. Sixteen additional ships of the line were put into commission, and manned by proclamation and press: for the latter method the voice of necessity was loud.

The parliament met on the last day of October. Nothing, his Majesty observed, could have afforded him so much satisfaction, as to have been able to inform the houses, at the opening of this session, that the troubles in North America were at an end; but so daring and desperate was the spirit of those leaders, whose object had always been dominion and power, that they now openly renounced all allegiance to the crown, and all political connection with this country; they had rejected, with circumstances of indignity and insult, the means of conciliation held out to them under the authority of his Majesty's commission, and had presumed to set up their rebellious confederacies for free and independent states. If their treason were suffered to take root, much mischief

must grow from it, to the safety of his Majesty's colonies, the commerce of the kingdom, and indeed the present system of all Europe. One great advantage, however, would be derived from the object of the rebels having been openly avowed, and clearly understood; we should have unanimity at home, founded in the general conviction of the justice and necessity of our measures. The two houses were informed of the recovery of Canada, and the successes on the side of New York, which, although they had been so important as to give the strongest hopes of the most decisive good consequences, would nevertheless not prevent the preparations for another campaign. His Majesty observed that he continued to receive assurances of amity from the several courts of Europe, but that nevertheless it was necessary that we should be in a respectable state of defence at home. An apology was made to the Commons for the unavoidable expence. The speech concluded with an assurance, that his Majesty had no object in this arduous contest, but to promote the true interest of all his subjects. No people ever enjoyed more happiness, or lived under a milder government, than those now revolted provinces; the improvements in every art, of which they boast, declare it; their numbers, their wealth, their strength by sea and land, which they think sufficient to enable them to make head against the whole power of the mother country, are irrefragable proofs of it.

The debates on the addresses, in consequence of this speech, were long and tedious. All the former arguments on both sides were called forth; the language of ministry was in some degree more resolute from the declaration of independence, which seemed to give a sanction to the system of coercion; but, upon the whole, they were less animated

mated than they had been last year, as the difficulties and enormous expence were now too obvious to be concealed. On the part of opposition, great fears were expressed concerning the probability of a rupture with France. Every line of the speech was treated with that asperity which the minority, considering it as the language of a minister, judged it worthy of. Amendments were proposed, conveying the sentiments of opposition, but were rejected in both houses by majorities of nearly three to one; against which rejection fourteen lords entered a protest.

A few days after the meeting of parliament, there appeared, in a newspaper, a declaration from Lord Howe and his brother, issued in America soon after the taking of New York, addressed to the people of that continent, in which the Commissioners acquainted the Americans with his Majesty's being graciously pleased to direct a revision of such of his royal instructions, as may be construed to lay an improper restraint upon the freedom of legislation in any of his colonies, and to concur in the revival of all such acts by which his subjects there may think themselves aggrieved. This paper was brought into the house, and acknowledged by the minister to be authentic. Upon this, some members in opposition took occasion to say, that ministers still continued to offer every possible, and almost incredible indignity to parliament. Here Commissioners are sent out to America, armed with power to receive submission, and grant pardons; and now it is found out by accident, that they are to undertake a revision of all those laws which had given umbrage to the Americans. Passing over this inconsistency of conduct, Lord John Cavendish, who brought the paper into the house, said he would gladly em-

brace an opportunity of reconciliation from any quarter, and moved that the house should resolve itself into a committee, to consider of the revival of all the acts of parliament by which his Majesty's subjects in America think themselves aggrieved.

—The ministry, after attempting to evince the consistency of the proclamation in question with their former proceedings, maintained that this motion would disgrace the Commissioners, by undoing what they may have already done; and allowing that it would increase the powers of their commission, this very increase would give rise to disagreeable suspicions among the Americans, concerning the reality and nature of the commissions. The question of independency must first be settled before concession can be made to a people who deny the authority of our laws, and trample our supremacy under foot. The governing part of America must first be disarmed; and when that is effected, the tyrannical delusion which the Congress has spread over the eyes of the colonists will vanish; till then it would be ridiculous to think of concessions, or regulations for their future government.

The opposition were strenuous in asserting, that the crown promised in this proclamation more than it could grant without permission of parliament; the crown having only a voice in the passing or repeal of laws, but no power to revise such as the parliament have again and again confirmed contrary to all endeavours from opposition. Nothing can be more unjust than to pretend to disarm the Americans previous to a negotiation. Such practice cannot derive a foundation even from the most tyrannical edicts or practices; and after having, by sure and deliberate degrees, impelled the Americans to the natural

protection, self-defence, to ask them to lay down their arms, and entrust themselves to their mercy who had undone them, who had tortured them to desperation, is not more absurd than cruel, and not more unlike Britons than unlike savages.—The question, after great animosity of debate, being put, the motion was rejected by a majority of an hundred and nine to forty-seven.—This event was followed by the secession of a great number of the members of opposition, particularly of the Rockingham party. They no longer saw duty or advantage to the public in wasting their time and strength in unavailing attempts to oppose the resolute determinations of ministry. They had long ago foretold every thing that had happened; they had made uniform efforts to prevent the impending danger, but they saw that all efforts now served only to expose them to the rage of a people infatuated and deluded.

The expences of the navy, including the ordinary at 400,500*l.* and the building and repairing of ships, which was voted at 465,500*l.* amounted to no less than 3,205,505*l.* exclusive of 4000*l.* voted to Greenwich hospital, and a million afterwards granted for the purpose of defraying the debt of the navy. The supplies for the land service were near three millions, although the extraordinaries of the land service for the preceding year, which exceeded 1,200,000*l.* with some other expences, were not yet provided for. On the motion and grant of 45,000 seamen, the conduct of Lord Sandwich, first lord of the admiralty, was severely animadverted upon by some of the opposition in the House of Commons; who demanded that sundry returns of the navy, within certain specified periods, should be laid before them. This, after considerable wrangling, was refused, without a

division having been called for upon the motion.

Soon after the recess, which continued from December the 13th to the 21st of January, 1777. Lord North moved for leave to bring in a bill to enable his Majesty to secure and detain persons charged with, or suspected of, the crime of high treason, committed in America, or on the high seas, or the crime of piracy. The bill was brought in and read the following day, (February the 7th,) and a motion made that it should be read a second time on the 10th; but the principal enacting clause appearing in a very alarming point of view, it was strongly combated by such of the opposition as were present. This clause declared all persons taken in the act of high treason, committed in any of the colonies, or on the high seas, or in the act of piracy, or who are or shall be charged with, or suspected of, any of these crimes, liable to be committed to any common gaol, or to any other place of confinement, appointed for that purpose under his Majesty's sign manual, within any part of his dominions, there to be detained in safe custody, without bail, mainprize, or trial, during the continuance of the law; with a provision, however, enabling a certain number of the privy council to grant an order for admitting such persons to bail or trial.—The arguments of opposition to this bill, and particularly the above clause, amount to this: "None of those emergencies which render the exertion of such power as this bill contains are at present in existence, even by the minister's own account; we have neither rebellion at home, nor a war without; and we know no reason why every check ought not to be given to the many attempts of ministry to elevate the power of the crown above the reach of law

law and curb. In England it is needless, for there the war with America is acceptable to the people; in America it can only carry resentment against the measures of government a step higher, and be a pretext for inflicting the cruelties of retaliation on many an unfortunate individual. But besides the mischiefs it will create abroad, it is a direct blow at the Habeas Corpus law, which has so long been the security of the rights and liberties of the people. Nor is it more unlimited as to its powers than its duration; for they who will erect it temporary, may fix it permanent. It is not more pregnant with danger to those whose professional engagements confine them to the seas, in the East and West Indies, or in Africa, than to the landmen: the same power that affects the one, may extend its pretended influence to the other; and thus revenge and ambition may execute their baleful purposes under the protection of a law that punishes suspicion with as much severity as criminality. The power of banishment to any part of the globe, which this bill creates, is a species of punishment new in every respect; and it would be in vain to mention illegality, where there is neither reason nor justice. The crime is undefined, and the punishment precedes the enquiry."

To this mode of reasoning the majority replied with their usual resoluteness, attributing the resistance given to the bill to a peevishness and conceit of temper predetermined to be pleased with nothing. "This bill," said they, "means no more than is literally expressed in it; if government had seen any reason, existing within the kingdom, for the suspension of the Habeas Corpus Act, they would have immediately demanded that suspension openly, and with the reasons for their request. It

is the guilty, not the innocent, whom this bill will affect; and it will tend to prevent crimes, as well as to punish them.—But, yielding in some measure to one of the principal objections, suppose that any person, within the kingdom, carried on unlawful correspondence with the Americans, and supplied them with stores and money, these persons are punishable by this bill; but not by this bill only, for such crimes come within one or other the descriptions of treason, which it has ever been in the power of the crown to punish. But this country contains no such men; the power of the bill, therefore, will be in America. Every abuse of this power is punishable by parliament, and discoverable on an enquiry; which any member may move for, when he thinks there is a cause.” In the course of the bill it was moved, that the words “in any part of his Majesty’s dominions” should be left out, and “within the realm” inserted in their place, in order to quiet the apprehension which suggested to some of the opposition, that suspected persons were liable to be sent beyond sea, to distant places of confinement. This amendment did not satisfy the opposition; the imprisonment on slight suspicion still was an object of cruelty, and there was no distinction fixed between the guilty and innocent. However, in order to see whether ministry really were willing to afford satisfaction on this head, one of the opposition moved, that a clause should be inserted, specifying that the offence for which any person was apprehended “within the kingdom,” must have been stated to be committed within the kingdom, and not elsewhere. But this amendment was rejected by a majority of five to one. In the farther progress of the bill several other amendments were proposed; one from Mr. Dun-
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ning was ably supported, and successful. The terms were these: "Provided also, and be it hereby declared, that nothing herein contained is intended, or shall be construed to extend to the case of any other prisoners, than such as have been in some one of the colonies before-mentioned, or on the high seas, at the time or times of the offence or offences, wherewith he or they shall be charged." After much debate, in which the minister bended with uncommon pliancy, this amendment was admitted without a division. During the last reading, the court party and crown lawyers seemed to agree so clumsily together, that a member humorously remarked, that administration were as much at variance as the title, the preamble, and the body of the bill. Opposition, however, continued to give every possible resistance to the bill, with all its improvements, but without effect; on the third reading, the numbers were an hundred and twelve to twenty-five. Similar success attended it in the House of Lords. The minority would have been stronger in both houses, but for that secession of many of the most important members, which we took notice of above.

About this time the minister was severely handled concerning the accounts of the expenditure of public money. These were in many places obscure; and where intelligible, extravagant, and calculated to enrich the avaricious contractor at the expence of the nation. His Lordship assured the committee, that great oeconomy had been observed, and that in some cases the contractors were losers; but in every exigency he had been careful to make such bargains as were most advantageous for the public. But the Landgrave of Hesse had made a demand for 44,000*l.* of levy money; this demand was unexpected, and seemingly unfair.

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The minister to this replied, that the Landgrave quoted the treaty of 1755 as a precedent, and was entitled to the advantages both of the former and present treaties, although his troops had never served in America: the demand was unexpected indeed, but perfectly fair. A very severe and continued debate was daily renewed in the committee of supply on these subjects; and the minister had scarcely finished his defence, however lame, when he was under a necessity of laying before them a message from his Majesty, at a time very unfavourable for the request contained in it. His Majesty expressed much concern at being obliged to acquaint them with the difficulties he laboured under, from debts incurred by the expences of the household, and of the civil government, which amounted, on the 5th of January, to 600,000*l*. That he relied on the loyalty and affection of his faithful Commons, of which he had received so many signal proofs for enabling him to discharge this debt, and that they would at the same time make some further provision for the better support of his household, and of the honour and dignity of the crown.—Papers, containing an account of the expenditure, and different statements of the amount of the civil lists, for a series of years, were at the same time given in. Lord J. Cavendish was for examining the accounts in a committee of the whole house, before the matter should be referred to a committee of supply; but that being rejected, two resolutions, in the latter committee, were passed, viz. “That the sum of 618,340*l*. should be granted to enable his Majesty to pay the debts incurred by the expences of his household, and of his civil government, on the 5th of January last. And that a sum of 100,000*l*. a year, over and above the sum of 800,000*l*. be granted

granted as a farther provision for the better support of his Majesty's household, and the honour and dignity of the crown." Debates of extraordinary length were the consequence. In the present distressed situation of public affairs, the opposition declared against this enormous addition of expence, and grounded their resistance to the resolutions principally on the unsatisfactory appearance of the accounts presented to the committee, the sufficiency of the sum already granted for all the purposes of royalty and good civil government, and the great cause that there was for suspecting that the debts and deficiency had been occasioned by expending enormous sums in secretly supporting the undue influence of the crown, and buying that assent, and those opinions, against which reason, justice, and the laws of our constitution revolted. The arguments of ministry were directed against the latter charge, and calculated to shew the necessity of the present addition. The majorities, in the progress of this committee, were, as usual, great and decisive. A concurring address, in answer to the message to the House of Lords, was protested against by fourteen of that noble body. A singular circumstance closed the disputation on this bill. When it came to be presented to his Majesty, for the royal assent, the Speaker of the House of Commons addressed the throne in a speech, of which the following is the principal part:—"By this bill, Sir, "and the respectful circumstances which preceded "and accompanied it, your Commons have given "the fullest and clearest proof of their zeal and "affection for your Majesty; for, in a time of "public distress, full of difficulty and danger, "their constituents labouring under burdens al-
" most

"most too heavy to be borne, your faithful Com-
 "mons postponed all other business; and, with as
 "much dispatch as the nature of their proceed-
 "ings would admit, have not only granted to your
 "Majesty a large present supply, but also a very
 "great additional revenue; great beyond exam-
 "ple, great beyond your Majesty's highest ex-
 "pence. But all this, Sir, they have done in a
 "well-grounded confidence, that you will apply
 "wisely what they have granted liberally; and
 "feeling, what every good subject must feel with
 "the greatest satisfaction, that, under the direction
 "of your Majesty's wisdom, the affluence and
 "grandeur of the sovereign will reflect dignity
 "and honour upon his people."—The sense of
 the house was not only alledged to be misrep-
 sented in this speech, but it was said to be an insult
 to the throne, and that the Speaker was highly
 culpable in both views. A warm debate ensued
 on this: Mr. Fox, to end it at once, made a mo-
 tion, "That the Speaker of this house, in his speech
 "to his Majesty, at the bar of the House of Peers,
 "on Wednesday last, and which was desired *nem.*
 "*con.* to be printed, did express, with just and
 "proper energy, the zeal of this house for the sup-
 "port of the honour and dignity of the crown, in
 "circumstances of great public charge." This
 was carried without a division; and it was at the
 same time agreed, that the thanks of the house
 should be returned to the Speaker for the dis-
 puted speech.

We should now return to the affairs of the East
 India Company, which we have seen were com-
 mitted into the hands of government; but as the
 extraordinary revolution brought about by the
 Nabob of Arcot, and the subsequent events, were
 left

left unfinished during the present session, they will be introduced with more propriety when we shall be enabled to give a succinct account of the whole matter.—Little else of consequence in parliamentary decision demands our attention now. Just before the adjournment, Lord Chatham moved for an address to the throne, representing, “that they were deeply penetrated with a view of impending ruin to the kingdom, from the continuation of an unnatural war against the British colonies in America; and advising, that the most speedy and effectual measures should be taken to put a stop to such fatal hostilities, &c.” His Lordship gave it as his opinion, that the repeal of all the obnoxious acts, since the year 1763, was a necessary prelude to every accommodation; and that he feared, if that method were not speedily adopted, a treaty between France and America would preclude every possibility of regaining the colonies. America was not to be conquered; she fought under the masked battery of France; and that battery would be opened against England, as soon as circumstances appeared to decide against the latter. This proposal was rejected on the usual reasons, and by the usual majority; who, it is hoped, sell sacrifices rather to infatuation, than to want of judgment, or sensibility. On June the 6th, his Majesty prorogued the parliament, and in the speech expressed his entire approbation of their conduct, and thanked them for the unquestionable proofs they had given to him, and to all the world, of the continuance of their attachment to his Majesty’s person and government, of their clear discernment of the true interest of their country, and of their steady perseverance in maintaining the rights of the legislature. Particular thanks were rendered to the Commons for the
zeal

zeal and public spirit with which they had granted the large and extraordinary supplies which were necessary for the service of the current year; and acknowledgment was at the same time made of their particular marks of affection to his Majesty, as well in enabling him to discharge the debts contracted on account of his civil government, as in making so considerable an augmentation to the civil list revenue, during his life. His Majesty concluded with expressing a trust in the Divine Providence, that by a well-concerted and vigorous exertion of the great force they had put into his hands, the operations of the campaign, both by sea and land, would be blessed with such success, as might most effectually tend to the suppression of rebellion in America, and to the re-establishment of that constitutional obedience, which all the subjects of a free state owe to the authority of law.

We left the Americans in the Jerseys, revived by some unexpected decisions of superiority over the British troops. During the winter, at New York, General Howe formed a considerable body of troops from the British and Irish refugees, as well as from the loyal Americans, which seemed to promise that the number of friends to government, still in the colonies, was greater than given out. General Tyron was appointed to the command of these new-raised troops. The manor of Courtland, a rough and mountainous tract, appeared to the Americans a fit place for the erection of mills and magazines: this they fortified according to their ability; and Peck's-kill, about fifty miles up the North River from New York, served as a kind of port to the manor of Courtland. General Howe dispatched a party to drive them from this latter place, which was easily effected; the

the Americans retreating precipitately, after destroying what they could not carry with them. But the General thought, that if he could convey a sufficient number of troops to Danbury, on the borders of Connecticut, and contiguous to the Courtland manor, he might cut off the resources which they depended on in that town. General Tyron, with two thousand men, and the assistance of Brigadier General Agnew and Sir William Erskine, undertook this expedition. He arrived at Danbury without molestation; but finding the inhabitants rising in arms, he was obliged to give orders for the destruction of the magazines, having no carriages for the stores; the town was unavoidably burnt at the same time. He then marched back by the way of Ridgefield, where he lay that night, and next day embarked his troops. In the whole of the march he was much interrupted by skirmishes with the provincial forces under the command of Generals Wooster, Arnold, and Silsman; the loss, however, was on the side of the latter. In one of these skirmishes General Wooster was killed, and Arnold made a very narrow, but brave escape: the Americans lost three colonels, and some other people of consequence in that country. They endeavoured to repair part of their losses, however, by seizing on a great quantity of stores in Sagg-harbour, intended for the King's troops: these they brought away, along with ninety prisoners, and after having destroyed a dozen brigs and sloops which lay at the wharf. This enterprize was executed by the Connecticut men, under the command of a Colonel Meigs. As the season for action was now advancing, the events in different parts of the country crowd upon us. Lord Cornwallis was encamped at Brunswick, on the hills that command the Rariton,

ton, and along the communications upon that river to Amboy, where General Vaughan followed his example. The want of tents occasioned a delay very favourable to the Americans. General Washington, powerfully reinforced from all quarters, advanced within a few miles of Brunswick, and took possession of the strong country along Middle Brook. His situation was advantageous in every respect. It was an object of the first consequence in this campaign, though of the greatest difficulty, that General Howe should bring Washington to an engagement. In the mean time, General Burgoyne formed a design of penetrating into the back-parts of New England and New York, in which he was to be seconded by a lesser expedition from the upper part of Canada, by way of Oswego, to the Mohawk River. Much was expected from this plan, under the direction of a general of so well known abilities.

While this was in agitation, General Howe left no means untried to bring Washington to an engagement, but finding this impossible, he pretended to retreat. The Americans, thinking this retreat was owing to a dread of their strength, pursued in great numbers, and with seeming advantage; even General Washington quitted his secure posts, and advanced to a place called Quibbletown. Here General Howe thought an engagement certain; or, at least, that by the assistance of Lord Cornwallis he could possess himself of some passes in the mountains, and oblige the enemy to quit that strong camp which had afforded them so advantageous a security. Lord Cornwallis, falling in with Lord Sterling, and about three thousand of the provincials, put them to flight with great loss, and pursued them to a considerable distance. General Washington now
seeing

seeing his error, with expedition secured those passes which General Howe meditated against, and by this means defeated the principal end of this expedition, which was to bring him to a general engagement; but on the event of that he determined never to hazard the fate of America. General Howe returned to Staten-island, and his rival fortified himself in his old position. The exultation of the provincials was not a little called forth by the capture of General Prescott, which was conducted with great address by a Colonel Barton, with several other officers and volunteers. They had it now in their power to retaliate, according to the treatment General Lee should meet with. This again was balanced by the rapid progress of General Burgoyne on the side of the Lakes, and the loss of Ticonderoga. General Howe's army, after many unavoidable delays, arrived about the end of August at the mouth of the river Elk, and landed without any opposition at Elk Ferry. The force which he found he could bring into the field amounted to 15,000 men. As soon as General Washington, who had returned to the defence of Philadelphia, learned this, he advanced to the Brandywine creek, or river, which, crossing the country about half way to that city, falls into the Delaware.

Sir William Howe, after a proclamation of pardon to all who should surrender themselves to the royal army, pushed on towards Philadelphia: in this march the provincials endeavoured to interrupt him, which occasioned his going on with great caution. The provincials then retired beyond the Brandywine, determined to dispute the passage of that river. At day-break (Sept. 11.) an engagement commenced, and with so much success on the part of the British troops, that probably

a few hours more of day-light would have given them a total superiority, and decided the fate of America. They effected their purpose with great skill, and the loss to the Americans is thought to have been more considerable than they were willing to allow. The victorious army gave testimony to the bravery of the vanquished, who retreated immediately to Chester, and next day to Philadelphia; the King's army lay on the field that night. Among the American troops were many foreign officers, who embraced the opportunity of this war to furnish themselves with a stock of military experience, and decorate their names with military honours. General Washington is by some blamed; he exerted every nerve, however, to repair the loss; and his troops were not so disheartened as might be expected. Upon the approach of the British army, he quitted Philadelphia, and advanced upon the Lancaster road, a few miles above that place. It is probable an immediate engagement would have followed; but a heavy fall of rain, continuing for twenty-four hours, incapacitated both armies. Hearing that the provincial General Wayne, with 1,500 men, was lying in the woods upon some enterprise, at no great distance from the left wing of the army, General Howe detached Major General Grey, with two regiments, and a body of light infantry, to surprise that corps. The expedition succeeded in a great degree; the British troops killed about three hundred of them, and took many more prisoners; the darkness of the night favoured the escape of the remainder: Grey lost only a captain and three men. Next day, Sept. 26th, Lord Cornwallis took possession of Philadelphia, and erected batteries to command the river. Scarcely were they begun, when the Delaware frigate, of thirty-two guns, with another frigate, and some smaller

smaller vessels, began a very heavy cannonade both upon the batteries and the town. But this ended with the loss of the Delaware; for being grounded by the falling of the tide, the grenadiers played upon her with their battalion field-pieces so successfully, as to oblige her to strike her colours. A schooner was driven on shore, and the rest of the ships compelled to retire.

It was now of great importance to the Americans to erect such works as might prevent Lord Howe's passing up to Philadelphia by the Delaware. By the activity of Captain Hammond, of the Roebuck, with some other ships of war, who arrived in the Delaware before Lord Howe, they were driven from one of their most considerable works; by which means a passage, although narrow and difficult, was opened for the ships. At this time the provincials were encamped at Skip-poch-creek, about sixteen miles from Germantown, from whence, in the evening, they marched to surprize and attack the King's army at that place. At first, fortune seemed to decide in their favour, but they were soon obliged to retreat; carrying, however, their cannon with them. The loss of the army amounted to five hundred and thirty five, of which number seventy were killed, particularly Brigadier General Agnew, and Lieutenant Colonel Bird. The Americans are said to have had between two hundred and three hundred slain, six hundred wounded, and more than four hundred prisoners; among their killed was General Nash. This expedition, although unsuccessful, served as a proof, that when the Americans chose to act upon the offensive, they were not so despicable an enemy as had been thought. About a fortnight after this engagement, the King's army removed to Philadelphia,

and the enemy to Skippoch-creek, where they encamped. In an attempt to dislodge the latter from Mud-island, where they had erected strong batteries, the King's troops were fatally disappointed; Colonel Donop, who conducted the expedition, being mortally wounded and taken prisoner, and his Hessians repulsed with great loss. The frigates and men of war, which made their way by the passage opened by Captain Hammond, were not more successful in their assault; the cannon played with no advantage against the works, and the Augusta man of war was blown up by accident during the engagement; many of the crew perished miserably. The important object of opening the navigation of the Delaware was, however, soon afterwards brought about by a superior force, and with inconsiderable loss. The provincials were obliged to abandon Mud-island, leaving their artillery and stores; they were driven, two days after, from Red-bank, and their works demolished. Their shipping, deprived of all protection, were glad to escape in the night to places of security farther up; but the crews of others of them, who could not embrace this opportunity, abandoned and set fire to their vessels, being surrounded on all sides: about seventeen ships were consumed in this manner. Nothing now hindered the clearing of the river, but the advancement of the season.

While the British fleet was thus triumphant, General Washington, with a reinforcement of four thousand men from the northern army, encamped on White Marsh, about fourteen miles from Philadelphia. General Howe, marching the army from this place, attempted to bring Washington to an engagement; but finding his endeavours to no purpose, returned to Philadelphia, and made preparations

preparations for winter. General Washington removed his camp from White Marsh to Valley Forge, about sixteen miles from Philadelphia, a very advantageous position.

We now return to Canada, in order to follow General Burgoyne in his northern expedition.

His force consisted of British and German troops to the amount of 7,173 men, exclusive of the corps of artillery. His officers, Philips, Frazer, Powel, &c. were men of distinguished bravery and abilities; the troops were in good health and spirits, and excellently disciplined. This army being encamped on the river Bonquet, on the west side of Lake Champlain, General Burgoyne was here joined by the Indians. The propriety of employing these has been greatly disputed; but necessity, at this time, was a plea against which it was thought no objection ought to be offered. In a speech to them, he endeavoured to correct that spirit of cruelty which frequently animated them in the day of battle; but this was an attempt surrounded with many difficulties. By a manifesto, he endeavoured to frighten the contumacious, by painting the barbarity of the savages in strong colours; at the same time, he held out suitable encouragement to such as should return to their duty, and leave a system of rebellion so replete with injustice, persecution, and tyranny, as that which their new governors had established. After making a short stay at Crown Point, he proceeded to attack Ticonderoga, a place of apparently very great strength. The troops, however, deserted their posts upon the appearance of the English army, and left the latter in entire possession of the whole place. The American generals have been much blamed for their conduct in this affair, but it has not as yet come to light whether

they merited those charges of imprudence and cowardice which were offered against them. Their commander in chief alledged, that his whole force, including nine hundred militia, did not exceed three thousand, badly equipped and armed; and that not one in ten of them was furnished with a bayonet. Other accounts say, that their force was five thousand men, well equipped, and well armed. Upon the whole, it does not appear that the Americans themselves justified the behaviour of their general on this day. They left great quantities of stores, and particularly an hundred and twenty-eight pieces of cannon. The royal army, as soon as their flight was discovered, pursued them both by land and water. Two of the five galleys, which they had dispatched up the south river, in the way to Skenesborough, were taken, and the other three blown up. The whole of their army, after this, fled with the greatest confusion, naked, and destitute of provisions. Brigadier Frazer, after having pursued them for a whole day, learned that the enemy's rear, commanded by Colonel Francis, were at hand. In the morning he found them situated on a very advantageous ground; this did not deter him from an immediate attack, as he expected every moment to be reinforced by General Reidesel. The enemy formed with seeming advantage, till the arrival of the German troops, at which they fled in confusion. Their commander, with many other officers, and above two hundred men, were left dead on the field; nearly the same number were taken prisoners; and of the wounded, supposed to be about six hundred, many perished in the woods. The loss on the side of the King's army was insignificant. In the course of this pursuit after the fugitive Americans, Colonel Hill encountered a
2 party

party of them of six times the number of his regiment, and beat them back with great loss, after an engagement of three hours. In all these engagements, the royal army, in killed and wounded, lost not more than two hundred men.

These successes enabled General Burgoyne's army to encounter, with activity and cheerfulness, the embarrassments of a march through a country both naturally and artificially unfavourable. His object now was Fort Edward upon the Hudson's river, where General Schuyler lay, joined by General St. Clair, the commander at Ticonderoga, with the remains of his army. This expedition, however, cost the King's army very little trouble, as, immediately on their approach, the Americans abandoned the place, and fled to Saratoga. The Congress and provinces sustained their disappointments with unshaken fortitude, and dispatched Arnold to reinforce their army at Saratoga, from whence he removed the whole troops to Stillwater, a central situation, in order that he might endeavour to intercept Colonel St. Leger, who now advanced upon the Mohawk river, and had been joined by a great number of the savages, whose cruelties, too apparent for disguise, excited an uncommon abhorrence of a government that would so far master the feelings of a humane, of an English breast, as to employ these horrid instruments of cruelty. The reflection on this circumstance strengthened the American army greatly, and in proportion as their valour and spirits increased, the royal army experienced difficulties. Those passages by land and water, which General Burgoyne was under the necessity of taking, were encumbered by so many difficulties, that nothing but the unremitting perseverance of the general and his officers, could reconcile the men to labours unat-

tended by any prospects of success. Having heard that Colonel St. Leger was conducting operations against Fort Stanwix, a rapid movement forwards seemed highly expedient; but this enterprise was of a very doubtful nature. If the Americans should proceed up the Mohawk river, and the Colonel succeed in his designs upon the fort, General Burgoyne's army must get between him and Albany; in which case an action, or a retreat higher up to the New England provinces, would be inevitable. If, again, leaving Fort Stanwix, he should fall back to Albany, the junction with Colonel St. Leger would be easy. In order to lessen the grievance of want of provisions, it was projected to send forces against Bennington, a place where the enemy kept great quantities of live cattle, corn, and what was most needed in the royal army, horses and carriages. Lieutenant Colonel Baum, a German officer, with about five hundred men, partly Germans, partly Americans, and partly English, undertook the expedition; but having dispatched word to the general, upon his approach to the place, that the enemy were too strong to be attacked by his present force, Colonel Breyman was dispatched to his assistance, with a party of Brunswick grenadiers, light infantry, and chasseurs. Bad roads and bad weather dispirited and weakened these forces exceedingly; and while they were in that situation, General Starke, who commanded the American militia at Bennington, determined to attack Baum's party, before it should be joined by others. Baum's troops mistook the Americans for their friends; but, as soon as the mistake was discovered, made a very brave defence. The issue was, however, fatal for them. Most of the Indians, Canadians, and British marksmen, escaped into the woods; the dragoons were soon

soon overwhelmed, and, with their wounded colonel, taken prisoners. Breyman came up immediately after; and after a defence which does his little corps much credit, was obliged to retreat. These victories occasioned great exultation among the Americans, happy to find that their militia were able to encounter and defeat regular troops. The success of Colonel St. Leger's attempt upon Fort Stanwix in some measure checked their joy. That officer hearing that General Harkimer was marching to the relief of the fort, at the head of eight or nine hundred of the militia, dispatched Sir John Johnson, with some regulars, the whole of his own regiment, and the savages, to lie in ambush, and intercept the enemy. By these the Americans were defeated with great loss, although by recovering an advantageous ground, and keeping up a sort of running fight, about one-third of their number was preserved. The Indians lost near fifty killed and wounded, and afterwards inhumanly butchered the wretched prisoners, as a sort of revenge. While this engagement lasted, Colonel Willet made a bold and successful sally from the fort, and carried back several prisoners, and spoil; he afterwards undertook an expedition in order to raise the country for the relief of the fort; with amazing intrepidity he passed through the besiegers' works by night, and made way for his troops through woods and morasses deemed impassable. In the mean time Colonel St. Leger endeavoured by every means to intimidate the garrison by messages, in which he represented the strength of his forces, and the little mercy which the garrison could expect from the Indians, if they should obstinately refuse to surrender. But the garrison turned a deaf ear to every remonstrance of this kind. The Indians under the colonel's command

command began to be so refractory and discontented, that he soon found himself under the disagreeable necessity of making a precipitate retreat, leaving his tents, and most of the artillery and stores, to the garrison. General Arnold joined the troops in the fort with a great body of men, and General Gates, about this time, took the command of the army, whose spirits were elated, and their courage raised to such a pitch, as to bid defiance to the British army.

While these successes of the Americans seemed to change the balance of strength, General Burgoyne remained in his camp, nearly opposite to Saratoga, and the eastern shore of Hudson's river; where he met with daily insurmountable difficulties in supplying his troops with provisions. Having at length obtained thirty days provisions, he passed Hudson's river with the army, and encamped on the heights and in the plain of Saratoga, about the middle of September. When they arrived in the front of the enemy, the general put himself at the head of the right wing, covered by Frazer and Breyman; the left wing and artillery were commanded by Generals Philips and Reidesel. The enemy attacked the right wing with boldness, and, under the command of Arnold, maintained the attack from three o'clock in the afternoon till after sun-set. The British troops gained considerable advantages, and, after a tedious conflict, chequered with various successes, were left masters of the field; having, however, been not a little surprised at the bravery shewn by bodies of men whom they had been accustomed to despise. After remaining all night on their arms, they took a position nearly within cannon-shot of the enemy's camp; fortifying themselves in the best manner circumstances would permit.

But

But notwithstanding this apparent success, General Burgoyne's situation became every hour more critical. Deserted by many of the savages, who were disappointed in their hopes of booty, and knew no better motive for war; deserted by many of the Canadian and British provincials, and diffident of the fidelity of those who remained, his only hope lay in being reinforced by a detachment from New York, if he could effect a passage to Albany. Sir Henry Clinton informed him of his intention to secure that passage, by making a diversion in the North River, and attacking Fort Montgomery. The general urged him to the speedy execution of his purpose, and said that he thought himself enabled to hold possession of his present position until the 12th of October. But these designs were fatally defeated; for the Americans, reinforced by prodigious numbers daily, had recovered the forts Ticonderoga and Mount Independence, become masters of Lake George, and had cut off all means of communication with Canada. No intelligence having arrived from Sir Henry Clinton on the 7th of October, General Burgoyne headed a detachment of fifteen hundred regulars, with two twelve-pounders, two howitzers, and six six-pounders, and made a movement to the left, in order to discover the possibility of forcing a passage, and with a view to cover a forage; for his army at this time was so much distressed through scarcity, that he had been obliged to lessen their allowance, a hardship which the men bore with a cheerfulness that endeared them to their country. The Americans, however, made their attacks with such superiority of strength and numbers, as to oblige the detachment to retreat, after great losses; and they scarcely had recovered their camp, when the enemy stormed it

it with great fierceness in several parts. In one of the attacks consequent on this storm, Arnold was wounded, and his party repulsed; but in another the Americans carried the intrenchments, commanded by the German reserve, sword in hand, and effected an opening on the right and rear of the British army. During the night, Burgoyne removed his camp to a position from whence it was expected they would be enabled to encounter their enemy with greater success than where they lay formerly. Some skirmishes ensued, with near an equal loss on both sides; till the British general, discovering that the enemy had pushed a strong body forward to turn his right, and which would have completely inclosed his army, retreated immediately to Saratoga. The first movement was without any loss, although the army marched within musket-shot of the enemy, and carried all the baggage. A heavy rain impeded the progress of the army, as well as the pursuit of the enemy; so that it was the 10th in the morning before they passed the fords of Fish-kill-creek, a little to the northward of Saratoga. A body of the enemy, who had been throwing up intrenchments on the heights before them, retired on their approach, joined a greater force on the opposite heights, and were determined to bring on an immediate engagement. General Burgoyne's situation now was truly melancholy, and nothing seemed likely to save his army, unless they could effect a night-march to Fort Edward; but the enemy had provided against every possible measure for this end. By repeated desertions, the regular troops were reduced to about 3,500 effective men, and those worn out with toils, dispirited by the ingratitude and timidity of the Canadians and provincials, and deprived of provisions,

vifions, or the poffibility of a retreat, were now invefted by an army of four times their number, aided by every advantage which a knowledge of their weakness, and the fituation of their own camp could give them. In this emergency the general called a council of not only the generals, but the under officers; the refult was to open a treaty, and enter into a convention with General Gates. Of the terms of this convention, the reader may judge from the following fpecimen:—

“ That the army fhould march out of the camp with all the honours of war, and it's camp artillery, to a fixed place, where they were to depofit their arms. To be allowed a free embarkation to Europe from Bofton; in their march, and during their flay at which place, their provifions and accommodation were to be conducted as they demanded—upon condition of their not ferving in America during the prefent war. The army not to be feparated, particularly the men from their officers. Roll-calling, and other duties of regularity, to be admitted. The officers to be admitted on parole, and to wear their fide-arms. All private property to be faved, and the public property defended upon honour. No baggage to be fearchcd or molefted. All perfons, of whatever country, appertaining to, or following the camp, to be fully comprehended in the terms of capitulation; and the Canadians to be returned to their own country, liable to it's conditions.”

The Americans ftate the whole number of killed, wounded, found in hofpitals, and taken prifoners, from the 6th of July till this unhappy October 17, to be upwards of 9,213 men; in the courfe of which loffes General Frazer and Colonel Breyman were killed. The events of this period gave rife to many cenfures and fpeculations, of which

we shall take notice afterwards, when the conduct of the British general shall have become an object of parliamentary enquiry.

In the mean time General Clinton met with great success in the expedition which it was mentioned that he undertook, up the North River. About three thousand men, accompanied by a naval force, consisting of ships of war, armed galleys, and smaller vessels, under the command of Commodore Hotham, determined to attempt the reduction of forts Montgomery and Clinton; which they accomplished by storm, and with dreadful havock among the enemy, who set fire to some ships and a fort, a day or two after, upon the approach of the British force. Their loss by these fires, and the other parts of this expedition, was immense; while the British army had to regret the death of some brave officers, particularly Colonel Campbell, who commanded the attack on Fort Montgomery, Major Sill, Major Grant of the New York volunteers, and Count Grabowski, a Polish nobleman, and aid de camp to General Clinton. General Gates afterwards complained of some cruel devastations which part of these troops, in an excursion up the river, had committed; on his approach, however, the troops and vessels retired to New York, leaving the river defenceless. The season being far advanced, the hostile armies, in every part of the continent, were confined to their winter abodes. We return now to the affairs of Europe.

During the summer, the designs of France, planned with little art, and scarcely deserving the name of double, began to shew themselves to the most unconcerned. It was the language only of that nation which remained equivocal; a variety of instances proved, beyond a doubt, that the
American

American commerce, which of late France had enjoyed, served as an additional impulse to a difference with Britain: all that remained was to endeavour to deceive the English ministry till the plot should be ripe for execution; in which it must be confessed she succeeded but too well. The ministry continued firm in their seats, and, as the events of the ensuing session will demonstrate, impregnable to any numbers which opposition could raise against them; but administration had scarcely ended their exultations on the first news from General Burgoyne, when subsequent accounts spread universal alarm, and not a few in England gave up the expedition as lost; the only hope rested on the possibility of a retreat to Canada. On November the 20th the parliament assembled. In the speech, his Majesty expressed his satisfaction, "that he could have recourse to the wisdom and support of his parliament in this conjuncture, when the continuance of the rebellion in North America demanded the most serious attention. The powers with which they had intrusted his Majesty had been faithfully exerted; and he had a just confidence, that the courage and conduct of his officers, and the spirit and intrepidity of his forces, both by sea and land, would, under the blessing of Divine Providence, be attended with important success; but as they would see the necessity of preparing for future operations, measures should still be pursued for keeping the land forces to their present establishment; and if his Majesty should have occasion to increase them, by contracting any new engagements, he relied on the zeal and public spirit of parliament to enable him to make them good." It was mentioned, "that repeated assurances from foreign powers of their pacific disposition had been received;

received; but that while the armaments in the ports of France and Spain continued, his Majesty had thought it adviseable to make a considerable augmentation to his naval force, as well to keep the kingdom in a respectable state of security, as to provide an adequate protection to the extensive commerce of his subjects. The Commons were informed, that the various services which had been mentioned, would unavoidably require large supplies; and a profession was made, that nothing could relieve his Majesty's mind from the concern which it felt for the heavy charge they must bring upon the people, but a conviction of their being necessary for the welfare and essential interests of these kingdoms. The speech concluded with a resolution of steadily pursuing the measures in which they were engaged for the re-establishment of that constitutional subordination which his Majesty was determined to maintain through the several parts of his dominions, accompanied with a profession of being watchful for an opportunity of putting a stop to the effusion of the blood of his subjects; a renewal or continuance of the former hope, that the deluded and unhappy multitude would return to their allegiance, upon a recollection of the blessings of their government, and a comparison with the miseries of their present situation; and a declaration that the restoration of peace, order, and confidence to his American colonies, would be considered by his Majesty as the greatest happiness of his life, and the greatest glory of his reign."

The addresses were drawn up in the usual stile of entire concurrence, but amendments proposed by the opposition produced great and tedious debates in both houses. In the House of Commons, the Marquis of Granby moved for an amendment
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of the following import: "To request of his Majesty to adopt some measures for accommodating the differences with America; and recommending a cessation of all hostilities, as necessary for the effectuating of so desirable a purpose, with an assurance, that the Commons were determined to co-operate with him in every measure that could contribute to the re-establishment of peace, and the drawing such lines as should afford sufficient security to the terms of pacification." This amendment was ably supported on nearly the following grounds. After three years war, the expenditure of fifteen millions of money, and the loss of many brave troops, we had no more prospect of bettering our affairs than when we began. Notwithstanding the hopes of success yearly held out in the speech, our progress exhibited an uninterrupted series of mortifying disappointments, and humiliating losses. The state of interest, of the stocks, and of real estates, as well as the Gazettes, too plainly shewed the degree in which our trade had been affected; and the loss of our American, West Indian, African, Mediterranean, and Levant commerce, took from our natural opulence in a manner too palpable for the disguise of equivocating and artful misrepresentations; while the defenceless state of our coasts and trade-fleets demonstrated that if we were at present incompetent for the protection of national commerce, we should be greatly more so when involved in a war with the House of Bourbon, an event which gentlemen in opposition regarded as fast approaching: and this was the time to extricate ourselves from our difficulties by a reversal of that ruinous and absurd system of coercion which irritated the Americans, strengthened

the hands of our enemies, and brought no advantage to ourselves.

On the other hand, the minister and his friends declared, that although nothing could be more at heart than a peace, yet a cessation of arms, at this period, would amount to a declaration of independency; that the Commissioners had powers to grant that cessation whenever overtures from the other side justified the measure; that there was no reason to apprehend any hostilities from France or Spain, yet, as there was a portion of ambiguity in their behaviour, it had been judged proper to put the nation in a state of defence. As to America, the difficulty with which the Congress raised men, and the hardships they brought upon those under them, would soon open the eyes of that deluded people, but that such an happy event would be obstructed by the proposed amendment; the question now was not whether America should be independent, but whether Great Britain or America should be independent! Both could not exist at the same time; and if independence was to be granted to America, Great Britain, in the course of a few years, would be reduced to a most humiliating state of vassalage to the colonies. Opposition had blamed the American secretary for arming the Indians; the measure was perfectly justifiable on the score of necessity, and an imitation of the conduct of the Americans, who had before endeavoured to stir up a spirit of hostility amongst the Indians against his Majesty's arms.—The proposal for amendment was rejected by two hundred and forty-three to eighty-eight who supported it.

In the House of Lords, a similar amendment was brought forward by Lord Chatham, who endeavoured

deavoured to assure the house of the hostile intentions of France and Spain, and reprobated, in strong language, the barbarous manner in which the war was carried on. His Lordship was ably supported by the principal speakers on the side of opposition, but it long had been customary for ministry to disregard every thing that proceeded from the lips of Lord Chatham. The arguments used by the ministerial lords were similar to those adopted in the other house, and the amendment was rejected by a majority of ninety-seven, including thirteen proxies, to twenty-eight who supported the motion. The Duke of Richmond and the Earl of Effingham entered a protest against the address.

At this time, opposition, in both houses, used every endeavour to procure an enquiry into the state of the navy; but when, upon a motion in the committee of supply for 60,000 seamen for the service of 1778, one of the lords of the admiralty was entering upon a satisfactory explanation, he was interrupted by one of the committee, who objected to his making public discoveries of private official concerns, as it afforded a dangerous knowledge to our enemies. The opposition replied, with some warmth, "that the refusal of this information was contrary to the rule and custom of that house, who had a right to know what they were voting for; that ministers had no secrets which could avail an enemy, it was parliament only whom they wished to keep in the dark; and that there needed no other proof of the wretched state of our navy, than the constant pains ministers had taken to conceal it." Pressed in this manner, the admiralty gave in a statement of the navy, to which great objections were offered; and both in this house and the other it was proved, that we had no more than twenty ships of the line

fit for service, in contradiction to the assertion of Lord Sandwich, who said we had thirty-five, fully manned, besides seven more, which wanted only men. It was likewise affirmed by opposition, that in the year 1759, our naval establishment, with respect to men, did not exceed the present; and that the whole expence amounted only to five million two hundred thousand pounds, whereas the peace establishment of 1778 exceeded five millions. The resolution for the sixty thousand seamen passed without a division. About the same time the bill of the preceding session for the suspension of the Habeas Corpus law in certain cases nearly expiring, it was moved that a bill should be brought in to renew the powers of that bill during a certain limited time. After much opposition this bill was passed, on the last reading, by a majority of an hundred and sixteen to sixty. In the further progress of the committee of ways and means, great complaints were made of the enormous and unaccountable expences of this war, and astonishment was expressed at the supine inattention of country gentlemen to these expences; and ministers were asked to specify a time when an end might be expected to be put to the present contest, and to say whether, on the supposition of our success, or of reconciliation or submission on the part of the colonies, we were to expect a revenue from them? These questions producing some observations on the state of the nation, Mr. Fox moved for a committee of the whole house, to consider of the state of the nation, under the following heads; the expences and situation of the war, and resources for it's continuance; the loss of men, situation of trade, and the progress of the commissioners in bringing about a peace. The minister agreed to this and several other subsequent

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quent motions to the same purpose; but Mr. Fox having moved for an address, to lay before them copies of the papers relative to the steps taken in consequence of a particular clause of the Prohibitory Bill, and the consequences that bill had produced, he was strongly opposed by the minister, who reprobated discoveries that were contrary to established practice, and might be detrimental. This refusal by the minister, and the conduct of administration in general, were now severely handled; and while the minister and his friends were giving every possible opposition to the motion, word was brought that a similar motion, made in the House of Lords by the Duke of Grafton, had been agreed to by the lords in administration. This totally disconcerted the ministers in the lower house, and gave additional strength to the opposition, who called upon the majority to resent this flagrant indignity offered to the British House of Commons. The minister, assaulted on all sides, peremptorily maintained his original opinions, and declared against the house being influenced by what might take place in the House of Lords. In the course of the debate, the American secretary acknowledged that he could not help entertaining doubts of the practicability of our conquering America; and that although his conduct would bear a perfect justification, as being founded on the information he had received, yet he had reason to doubt the authenticity of some part of that information; but that as America was already almost ruined, he must oppose every idea of a federal union with rebels, and give his opinion for continuing the war. This speech of the secretary produced warm animadversion, as he admitted the impracticability, and moved for the continuance of the war, in the same

breath. Upon a division, the motion was lost by an hundred and seventy-eight to eighty-nine.

The following day, ministers were greatly more disconcerted, on having received the intelligence of the capture of General Burgoyne, and the consequent failure of their favourite plan, on which they placed so much reliance. Opposition now redoubled their attacks with a degree of strength and asperity that seemed to bear every thing before it. Every particular relative to the unhappy expedition furnished an unanswerable argument. The minister was dismayed sufficiently by the news; he now acknowledged he was unfortunate, but was ready to submit his conduct to the judgment of the house, and had no doubt of its propriety. The same declaration was made by the American secretary, ever ready to abide by the decision of the house on his measures. Both, however, persevered in the continuation of the war, and a few days after 682,816*l.* was granted for the ordinaries and extraordinaries of the office of ordnance for the ensuing year. This sum so much exceeding any former demand, was objected to by the principal speakers in opposition. After the proposal and rejection of some motions preparatory to the general enquiry into the state of the nation, Mr. Hartley introduced a few others tending to establish the destructive and expensive nature of the war, and the necessity of a speedy conclusion to it, and wished for an address on the subject to his Majesty. Opposition did not take a very active part in these motions, and they were all rejected without a division. A motion from Mr. Wilkes, a few days after, for a repeal of the declaratory law of the year 1766, as a step towards the repeal of all the obnoxious acts since the year 1763, met with a similar fate. It was then moved that

that the house should adjourn during the holidays, from December the 10th to the 20th of January. At a crisis like the present, opposition thought an adjournment of so great length was very unbecoming, and accordingly opposed it with all their strength; but the question being put, the motion for adjournment was carried by an hundred and fifty-five to sixty-eight.

The same day in which Mr. Fox made his motion in the House of Commons, the Duke of Richmond made a similar one for an enquiry into the state of the nation: the business, in every respect, was conducted as it had been in the Commons, and the enquiry appointed for the same day. On the 5th of December, Lord Chatham moved for copies of the orders and instructions given to General Burgoyne. This was rejected by a majority of forty to nineteen; upon which his Lordship immediately moved for copies of the papers relative to the employment of the savages, a measure which he spoke of in terms of the loudest reprobation. In the course of the debate, it was alleged that the noble Earl had employed savages, or had intended to employ them, when he was minister: to this it was answered, that the case differed widely; as in the last war the French employed the same means, and justified retaliation; and that in the same case the affections of the people were not an object of importance. This motion was lost by the same majority as the former, and the motion for adjournment was then proposed, strongly resisted, but carried by a majority of forty-seven to seventeen.

Notwithstanding the loss of the northern army, the ministry seemed still determined as to the prosecution of their coercive system, and it was now a matter of consideration to raise a body of troops

in lieu of that which we had just lost. It was proposed to put to the test that loyalty and attachment which many towns in Great Britain had professed, by requesting them now to exert their respective influence in raising regiments. Manchester and Liverpool offered to raise each a thousand men, and the example was followed by some other towns. It had been well could London have been prevailed upon to lead in this business, but that was impossible. An attempt, however, was made by the leaders of the court party in the city, who assembled themselves, and were denominated the Associated Livery, or more commonly (from the tavern at which their meetings were held) the White Hart Association. The influence which this party had in elections was great, and their number daily was increasing; but having appointed a general meeting, in which they meant to bring the matter home, they found the place so ill attended, that they broke up the assembly without having entered on any business. The Lord Mayor was zealous in the service of this party. In a common council, held on January the 16th, 1778, a bounty was proposed to 1778. be granted by the city for raising men for the land and sea service. The popular party opposed, with great warmth, any measure or proposal that might tend to shew that they countenanced that system of ruinous coercion which they had uniformly combated, and petitioned against. So powerful in numbers were this party, that the motion was rejected by an hundred and eighty to thirty; the others, foiled in this attempt, opened a subscription for the support of government, and in a short time above twenty thousand pounds were subscribed. In Bristol, Norfolk, and Warwickshire, similar attempts were made

made with similar success; subscriptions were opened in all these places. In Scotland, however, regiments were raised with incredible expedition, particularly in the Highlands. Encouraged by this spirit of loyalty among the people, and increase of strength, ministers assumed confidence, and met the parliament, pursuant to adjournment, with intrepidity. The first business related to the new levies, in which the conduct of raising troops during the recess, without the knowledge or advice of parliament, was animadverted upon. An address was moved for, that an account of the new troops, with the names of the field and subaltern officers, should be laid before the house. This motion being agreed to, Lord North congratulated his colleagues on the shew of spirit and firmness on the side of the people, which increased with their difficulties, and appeared when it was most needed. But still opposition contended against the measure, and declared that it was an unconstitutional stretch of arbitrary power. Permitting a practice of this nature, would soon end in subverting the constitution altogether; and although the endeavours of ministry had lately been fatally successful in destroying the essence of that constitution, they ought at least to preserve the forms of it. The minister answered, that the measure was perfectly necessary and innocent, and that the American war was a constitutional and a popular war, and the people of Great Britain had now done no more than to take up arms in defence of their constitutional rights. Few subjects of discussion have occasioned more animosity than this did; it was repeatedly renewed, but, after being warmly agitated on a motion from the Secretary at War, for 286,632l. 14s. 6d. for the cloathing the new forces, this motion was carried
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by two hundred and twenty-three to one hundred and thirty, a greater minority than had opposed any question of supply.—The business was brought into the House of Lords on the 27th of January. The Earl of Abingdon moved, “That a day be fixed for summoning the judges to attend this house, in order to take their opinions upon the present mode of raising troops, without the authority of parliament.” The attendance of the judges was so much opposed, that the noble Earl withdrew his motion, but in a few days proposed two others, expressive of the illegality of the measure, which were, after long debates, rejected by a majority of nearly three to one; and both houses, as well as the public in general, looked forward to the enquiry into the state of the nation.

Several motions, relative to this important business, had been rejected, and among the rest one from the Duke of Grafton, for “a copy of the answer sent to the commissioners for restoring peace to America, in consequence of their letter to Lord George Germaine, dated the 30th of November, 1776, excepting such part of it as might affect the interest of any individual.”—This motion was rejected on the grounds of inexpediency, and danger of disclosure. The same day Mr. Fox made a motion in the lower house, for copies of the instructions given to General Burgoyne; ministry objected to this, as being unfair with regard to the absent general. Opposition denied that it was unfair, or would lead to any accusation; they only thought those instructions were a necessary part of the papers from which a judgment of the state of the war was to be formed. This being rejected, other motions for papers, by Colonel Barré, met with the same fate:
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upon which opposition began to complain with great bitterness of the conduct of ministers in refusing those papers, and alledged that what they had laid before them were imperfect, erroneous, and unsatisfactory. The ministers replied, that no information was designedly withheld, but that they were not responsible for the inaccuracies that might be found in the papers. This enquiry, however, appeared to the opposition to be a matter of the first importance, and a necessary prelude to a conviction that it was expedient to put an end to this unnatural war as soon possible; for besides the present expence, a war with the House of Bourbon seemed very near. On February the 2d, Mr. Fox opened the enquiry in the grand committee of the House of Commons. From the papers before the house, he stated, that from 1774 to 1777, an army of many thousand men had performed certain military services in America; that army had been much stronger, and the enemy much weaker, during the period specified, than they were now; that the nation was unable to sustain the expence of increasing our army, and that an inferior force was incompetent for the purposes of administration; impediments had been thrown in our way, but the papers which might have led to a discovery of those had been refused; and Mr. Fox considered it as an axiom, that, without a fundamental error in it's government, this country never could have been sunk to it's present situation. Mr. Fox then began to recapitulate the whole conduct of ministers in the American affairs, from the agreement with the East India Company. Ministers, in that affair, had mistaken the thirteen colonies for one, forgetting that the cause of one colony would be considered as the cause of the whole continent.

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In consequence of that error, their means for suppressing the insurrections were such as fanned, not extinguished the flame; and every succeeding act of the British parliament strengthened the union of the colonies. There still had been openings for reconciliation, even after the sword had been drawn; and ministers could not but see, that their rejection of the petition from Congress was founded on erroneous principles, namely, the insincerity of the Americans in their professions; and that the favourite system of coercion was impracticable. After stating some particulars relative to our home defence, Mr. Fox moved for an address to his Majesty, "That no part of the old established national forces in these kingdoms, or in the garrisons of Minorca and Gibraltar, should be sent to America." Not a single member made any reply to this speech; and the motion was negatived, without any debate, by a majority of two hundred and fifty nine to an hundred and sixty-five.

A few days after, Mr. Burke moved for an address, to lay before the house copies of all the orders relative to the military employment of the Indians in the present war. Mr. Burke descanted with great eloquence on the cruelty, inefficacy, and inexpediency, of employing the Indians. The motion, however, was rejected by a majority of two hundred and twenty-three to an hundred and thirty-seven who supported it. He followed with several other motions, tending to the business of enquiry, but they were all rejected. Mr. Fox, soon after, stated from the papers, imperfect as they were, which had been laid before the house, that we had lost twenty thousand men, and expended twenty-five millions of money, to no purpose. On this he founded a motion;

motion:—"Resolved, that it appears to this committee, that, in the year 1774, the whole of the land forces serving in North America, did not amount to more than 6,864 effective men, officers included." This Mr. Fox considered as an incontrovertible fact, proved by the lists of men sent over, and the last returns of the forces now remaining in that continent.—After a tedious and immethodical debate, in which a variety of old topics were introduced, this motion was thrown out; as were similar ones in the House of Lords, by the Duke of Richmond. The grand object of ministry, in both houses, seemed to be to frustrate every species of enquiry, under pretence of concealing from our enemies the situation of our armies, and our losses. The probability of a foreign war was much insisted on in the House of Lords, and the deficiencies in our military establishment, even as a *peace establishment*. Evidence was likewise brought to the bar, to prove the losses our commerce had sustained. Lord Sandwich introduced some witnesses, who were to prove that those losses were exaggerated; and afterwards, when the Duke of Richmond more particularly stated the exact situation of different branches of commerce, Lord Sandwich repeated his dissatisfaction with the nature of the present enquiry, which, he said, tended to expose our weakness to our enemies, and could not be productive of any good consequences. This argument was sufficient to frustrate all the designs of opposition in the enquiry.

About this time Lord North made some propositions tending to a reconciliation with America. He said, that his wishes for peace had been crossed by a variety of misfortunes; that American taxation, he believed, could never produce
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a beneficial revenue, but he had found them taxed when he came into office. He never could have conceived, that the agreement with the East India Company would have proved so untoward; that the coercive acts had produced effects which he could not foresee; that his former conciliatory proposition was so disfigured by obscure discussions, as to lose it's effect in America; that the issue of the war had been contrary to all foresight, and every similitude, considering the conduct of the commanders, and the goodness of the troops. His present motions were two, for "A bill for declaring the intentions of the parliament of Great Britain, concerning the exercise of the right of imposing taxes within his Majesty's colonies, provinces, and plantations, in North America;" and "A bill to enable his Majesty to appoint commissioners, with sufficient powers to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations, and provinces of North America." His Lordship added, that it was intended to appoint five commissioners, and enable them to treat with the Congress, as if it were a legal body, to treat with any of the provincial assemblies upon their present constitution, or with any individuals in military or civil command, General Washington, or any other officer. They were to have a power of suspending arms, granting pardons, and restoring all or any of the colonies to the form of their ancient constitution; that should the Americans now claim their independence, they should not be required to renounce it until the treaty had been ratified by the King and parliament of Great Britain; and if the Americans refused a moderate contribution towards the common defence of the empire, when-re-united,

united, they should be warned, that in that case they were not to look for support from it. The minister declared farther, that all these concessions were consistent with his former opinions. Although the opposition by no means thought so, they congratulated his Lordship on his conversion, and gave him a most willing support. The country gentlemen, who had been led by the ministry on all occasions, were not easily reconciled to this change of sentiments, and expressed their disapprobation of his conduct with some asperity. In the progress of the bills, it was moved, that the committee be empowered to nominate the commissioners; not to have this power, was to throw the constitution of this country into the hands of the King. The other side objected to this jealousy of the power of the crown at this particular juncture. The nomination by the whole parliament would be attended with many inconveniences; and if, as gentlemen in opposition had been used to observe, the friends of administration should carry their point by a great majority, the crown would receive the power from them, and parliament afterwards could not pretend to find fault with any minister for advising what they had ratified themselves. The opposition contended, that they had no reason to expect any good in consequence of negotiations by the present ministry; they did not, however, demand a division, and the motion fell to the ground. Another, which produced a recapitulation of much of the former arguments on the different American subjects, was rejected by a great majority. The purport of it was, "That it should be an instruction to the committee on the conciliatory bills, to receive a clause for the repeal of the Massachusetts charter act." In the

the course of the bills they were much altered; the opposition thought it boded no good, that the powers of treaty with a people at so great a distance, and where expedition would be necessary, should be reserved in the hands of ministers at home. The country gentlemen were at different times very loud in their outcries against the minister; they hesitated not to predict that this commission would produce no good effects: the opposition, who could not get matters accommodated to their views and judgments, joined in this opinion. The bills, however, passed without a division. The title of one of them was thus altered: "For removing all doubts and apprehensions concerning taxation by the parliament of Great Britain, in any of the colonies, provinces, and plantations in the West Indies; and for repealing so much of an act made in the seventh year of the reign of his present Majesty, as imposes a duty on tea imported from Great Britain into any colony or plantation in America, or relates thereto."

In the grand committee on the state of the nation, Mr. Fox made the following motion relative to the state of the navy; "Resolved, that the present state of the royal navy, for the defence of Great Britain and Ireland, is inadequate to the very dangerous situation of public affairs." This was set by without a division, by moving for the previous question. Next day, Mr. J. Luttrell, who had taken a very active part in the above motion, proposed that an address should be presented to his Majesty, that the commissioners should have powers to promise the Americans, that any of his Majesty's ministers, particularly obnoxious to them, should be speedily removed from his Majesty's councils. This motion was greatly

greatly opposed by the ministry, and but feebly supported by the minority; who, whatever their opinion of the commission might be, could not consent to a motion so humiliating to the nation at large. It was thrown out by an hundred and fifty to fifty-five. In the House of Lords, the enquiry went on in much the same manner as in that of the Commons. The Duke of Richmond, after many of his proposals had been rejected, made another concerning the expence which the American war had cost the nation, which, on calculation, and supposing a peace to take place immediately, amounted to near thirty-three millions sterling. The friends of administration maintained, as usual, that it would be pernicious to make this public disclosure of our situation, and moved that the Speaker should quit the chair; this was carried by a majority of sixty-six to twenty-eight, and a negative put upon all the resolutions moved by the Duke of Richmond. The same pretence of secrecy was offered by Lord Sandwich, when the Duke of Bolton attempted to extend the enquiry to the state of the navy, and was sufficient to put a period to every motion on that subject. The conciliatory bills were carried through this house without a division, although the lords in opposition doubted that they would ever produce any good effect. — The Duke of Grafton informed the house, that he had received intelligence of a treaty having been actually signed between France and the American deputies, and desired to know if ministers had learned this; they answered, that they knew of none. A similar piece of intelligence and request were introduced into the House of Commons, and met with the same reception. After this, Lord Effingham entered on the discussion of some parts of the conduct of the treasury,

in the disposal of the public money, particularly in contracts with one Atkinson: these and other enormous expences were censured with great severity; the chair was voted, however, empty, and a negative put on every resolution concerning this business.

But the designs of France, ripe for execution, could bear no longer delay. On March the 17th, the following message was sent from his Majesty to both houses of parliament. "His Majesty having been informed, by order of the French King, that a treaty of amity and commerce has been signed between the court of France, and certain persons employed by his Majesty's revolted subjects in North America, has judged it necessary to direct that a copy of the declaration, delivered by the French ambassador to Lord Viscount Weymouth, be laid before the House of Commons; and at the same time to acquaint them, that his Majesty has thought proper, in consequence of this offensive communication on the part of France, to send orders to his ambassador to withdraw from that court. His Majesty is persuaded, that the justice and good faith of his conduct towards foreign powers, and the sincerity of his wishes to preserve the tranquillity of Europe, will be acknowledged by all the world; and his Majesty trusts, that he shall not stand responsible for the disturbance of that tranquillity, if he should find himself called upon to resent so unprovoked and so unjust an aggression on the honour of his crown, and the essential interests of his kingdoms, contrary to the most solemn assurances, subversive of the law of nations, and injurious to the rights of every sovereign power in Europe. His Majesty, relying with the firmest confidence on the zealous and affectionate support of his faithful people,

people, is determined to be prepared to exert, if it should become necessary, all the force and resources of his kingdoms; which he trusts will be found adequate to repel every insult and attack, and to maintain and uphold the power and reputation of this country." The declaration mentioned in the above message was as follows: "The undersigned ambassador of his Most Christian Majesty has received express orders to make the following declaration to the court of London: The United States of North America, who were in full possession of independence, as pronounced by them on the 4th of July, 1776, having proposed to the King to consolidate, by a formal convention, the connection begun to be established between the two nations, the respective plenipotentiaries have signed a treaty of friendship and commerce, designed to serve as a foundation for their mutual good correspondence. His Majesty, being determined to cultivate the good understanding subsisting between France and Great Britain, by every means compatible with his dignity, and the good of his subjects, thinks it necessary to make his proceeding known to the court of London; and to declare, at the same time, that the contracting parties have paid great attention not to stipulate any exclusive advantages in favour of the French nation; and that the United States have reserved the liberty of treating with every nation whatever, upon the same footing of equality and reciprocity. In making this communication to the court of London, the King is firmly persuaded it will find new proofs of his Majesty's *constant and sincere disposition for peace*; and that his Britannic Majesty, animated by the same sentiments, will equally avoid every thing that may alter their good harmony; and that he will particularly take effectual mea-

tures to prevent the commerce between his Majesty's subjects and the United States of North America from being interrupted, and to cause all the usages received between commercial nations to be in this respect observed; and all those rules which can be said to subsist between the two crowns of France and Great Britain. In this just confidence, the under-signed ambassador thinks it superfluous to acquaint the British minister, that, the King his master being determined to protect effectually the lawful commerce of his subjects, and to maintain the dignity of his flag, his Majesty has, in consequence, taken eventual methods, in concert with the United States of North America." Signed Le M. de Noailles."

When the minister proposed an address, in consequence of the message, a member in opposition moved for an amendment, praying his Majesty to remove from his councils those men who had manifested their want of capacity for carrying on a war of such importance, and in whose conduct the people placed no confidence. In defence of this amendment the ministry were severely handled on account of their repeated contempt of warnings held out by gentlemen in opposition; and it was said, that had they been actually in the pay of France, their measures could not have militated more effectually for the advantage of that kingdom. The minister found himself not a little embarrassed by this attack: he could not say, that he had not been warned of the designs of France; nor, consistently with his own judgment, could he say he had never foreseen them himself: deprived, then, of these subtleties, he expressed a firm resolution to continue in his place; the interest of the nation, his honour, required his continuance in office; the nation was not unable in any

any respect to cope with France; and that as no gentlemen in the house could be still on the recollection of the insult offered to Great Britain; he trusted none would give resistance to an address which conveyed the just indignation of their minds. His Lordship was not of opinion, that America would reap any great benefits from this new friend; and that France would, in the end, find her conduct attended with pernicious consequences to her own settlements in America. Opposition had proposed an immediate grant of independence to America, as the only remaining expedient for dissolving the connection between the colonies and France; but gentlemen ought not to have forgot what a stain national honour would suffer from yielding the superiority of Britain to the insolence of France. The amendment being rejected, the original address, which in strong language approved of the sentiments of the message, was carried by two hundred and sixty-three to an hundred and thirteen. In the House of Lords a similar amendment was debated with great warmth, and produced a variety of discussion. The ministers declined all defence of their conduct, leaving time to declare their innocence. The opposition was divided, as to independence. The Marquis of Rockingham and the Duke of Richmond, with those lords who adhered to their parties, were clearly in it's favour. The Earls of Chatham, Temple, and Shelburne, were against it, as tending to the disgrace and ruin of this country. The majority against the amendment, and in favour of the original address, was proportioned to that in the other house.

In a day or two after, Mr. Fox, in the grand committee of enquiry, caused the papers relative to the expedition from Canada to be read, and

from these deduced the following resolutions: "That the plan was impolitic, unwise, and incapable of producing any good effect; that the provision made for it was inadequate to the object; and that General Burgoyne had acted agreeable to the tenor of his instructions." Upon these he founded a vote of censure on the conduct of Lord George Germaine, the American secretary, and ostensible adviser of the expedition. The amount of the defence made by the friends of ministry is this, that there had been a great fault somewhere, an army lost, a foreign war consequent, perhaps America itself lost, but that it was improper and impossible to conduct an enquiry into the subject till the arrival of the parties immediately interested; that the American secretary was not to blame, the expedition being wise and practicable, and that a discretionary latitude was granted to General Burgoyne, by which he might accommodate his operations to the circumstances of time and place. The first resolution, defeated by these and other similar arguments, was lost by a minority of forty-four to an hundred and sixty-four; and, not content with this victory, it was moved by a friend to ministry, "That it does not appear to this committee, that the failure of the expedition to Canada arose from any neglect of the secretary of state to the colonies." Thus the conduct of that minister was to be applauded, although but a few minutes before they had declined any enquiry into the business, on a pretence of wanting evidence. The resolution, however, appeared too absurd to be reported.

About the same time, Colonel Barré having moved for a committee to inspect the public accounts with respect to expenditure, and to report their opinion thereon to the house, after great

great opposition from ministerial friends, twenty-one gentlemen were chosen by ballot as a select committee on this business. This was not satisfactory, as it promised the usual contempt of parliament. Opposition deemed themselves farther insulted a few days after, when Lord North moved for some allowance to be made to the subscribers on the present loan, in order to make up the loss sustained by the changed state of the funds. This proposal was so highly resented, that his Lordship thought proper to let it drop. The taxes and loan of this year afforded a continual supply of matter of censure; but ministry effected, on all occasions, by numbers what they could not by arguments. The state of trade in Ireland, and the distresses that country sustained, suggested the necessity of taking off many restrictions on her trade. This subject was eagerly attended to by both parties; but, after many long debates, the hearing of counsel, and the assiduous exertions of the friends of Ireland, the matter ended in some enlargement given to the linen trade, particularly in the article of checks, and some regulations relative to the African and West India trades. The original resolutions in favour of Ireland were of wide extent; but during the Easter recess, and in the progress of the bill, a powerful opposition, influenced by an attention to the interests of English trade, abridged them to what we have just mentioned.

While these considerations on Irish affairs were in agitation, Sir Philip Jennings Clerk brought in the Contractor's Bill, or a bill for restraining any person, being a member of the House of Commons, from being concerned in any contract. This was a popular bill, and at first seemed to carry success with it; but on the second reading, a mo-

tion being made for commitment, it was lost by two only, an hundred and fifteen to an hundred and thirteen, who supported the committing the bill upon a division. The majority moved for it's being laid by for two months, which was carried. A message for a vote of credit excited many severe strictures on the conduct of ministers; and although it not only passed in the committee, but the report was received and agreed to in the house without a division, opposition could not help regretting the miserable situation into which the conduct of ministers had reduced the country. Intelligence had been received that D'Estaing, with twelve ships of the line, had sailed from Toulon about the middle of April, and we had no force in America sufficient to oppose him. In answer, ministers endeavoured to convince the house, that if D'Estaing was really destined for America, Lord Howe would be able to use such means of defence as would prevent any immediate consequence of moment; if not, Admiral Byron, with the fleet under his command, at Portsmouth, could certainly arrive in time to regain any losses that might ensue. It was difficult, however, to persuade opposition, that his tardiness in sending out a proper force accorded with that flourishing state of the navy which ministry had been used to boast of. Great relief was at this time given to the English Roman catholics, by a bill, passed unanimously, for the repeal of certain penalties and disabilities provided in an act of the 10th and 11th of William III.

The negligence of ministry in not providing against the naval force sent from Toulon, was not, however, to be overlooked. From some papers laid before the house concerning this business, it was proved, and, on proof, moved by Sir William Meredith,

Meredith, that ministers had received various intelligence, from January to April, of the equipment, and sailing of the Toulon fleet on the 13th of April; that no orders had been sent until the 29th of April, for any fleet of observation to attend the motions of that from Toulon; and that no fleet did actually sail until the 20th of the present May, when eleven sail of the line left St. Helen's. These positions were ably supported, and the insulting conduct of the friends of ministry treated with much asperity, and not unprovoked; for they had even gone so far as to say, that parliament had no business to interfere with the measures of government. By the previous question both motions were lost; had they been successful, the mover intended a vote of censure on the conduct of ministers.

The disputes relative to the northern expedition were now revived afresh on the arrival of General Burgoyne, who was refused admittance into the royal presence. The sun of court favour no longer shone upon him; and while he remained depressed by ministerial neglect, a court of enquiry was appointed; but the general officers reported, that as he was prisoner on parole to the Congress, they could take no cognizance of his conduct. He then demanded a court-martial; this being refused, he determined to submit his actions to parliamentary enquiry. The enquiry was introduced by Mr. Vyner, and seconded by Mr. Fox. The subject, however, will come to be mentioned with more propriety in our account of the business of the ensuing session, when it met with a decisive discussion. From the manly and spirited behaviour of General Burgoyne on this day, he had no reason to expect favour from the part of administration, nor much cause to think

think that they would very deeply interest themselves in an enquiry that bore a more favourable aspect to him than to them.

While these matters occupied the attention of the lower house, the upper was no less agitated by a variety of debates. Motions of enquiry concerning naval affairs were peremptorily opposed by ministry; who could not help wishing that this committee of enquiry had never been instituted, as it had only served to make pernicious discoveries to our enemies; an argument which never failed Lord Sandwich on any occasion. But the Duke of Richmond was of opinion, that, although several of the objects proposed in this committee had been frustrated, the house had reaped considerable benefit from it. It had opened a state of the army and navy, and the expence of the war; and perhaps had been the means of awakening ministers from their lethargic obstinacy, and prompting them to attempt a reconciliation with America. When about to close the enquiry, his Grace moved for a long address, containing an abstract of the various species of information which had appeared on the enquiry, the resolutions proposed to the committee, and the result of the whole. Besides imputing the prosecution of the war to misrepresentation, advising the recall of the armies and fleets from the colonies, and the effecting a reconciliation, indignation was expressed at the conduct of those ministers who had been the cause of all our misfortunes; and his Majesty was requested to put an end to a system so fatal to the honour and interests of this country. This address was the cause of great debate; but, on the question being put, fifty appeared against the motion, to thirty-three who voted for it. Twenty lords entered a short protest against the rejection,
Attempts

Attempts were afterwards made in this house to censure the conduct of the naval ministers in the affair of the Toulon fleet, but these were attended with no better success than in the House of Commons.

This session had now sat beyond the usual time; it was, however, in both houses moved, that an address should be presented against the prorogation of parliament, until the present alarming crisis might be terminated. This was rejected by the usual majorities, and on June the 3d his Majesty closed this tedious session. In the speech from the throne, particular thanks were returned for the zeal shewn in supporting the honour of the crown; and for their attention to the real interests of the subjects, in the wise, just, and humane laws which had been the result of their deliberations. His Majesty's desire to preserve the tranquillity of Europe had been uniform and sincere; he reflected with great satisfaction, that he had made the faith of treaties, and the law of nations, the rule of his conduct: let that power, by whom this tranquillity should be disturbed, answer to their subjects, and to the world, for all the fatal consequences of war. The vigour and firmness of parliament had enabled his Majesty to provide for such events and emergencies as might happen; and he trusted, that the experienced valour and discipline of the fleets and armies, with the loyal and united ardour of the nation, armed and animated in defence of every thing that is dear to them, would be able, under the protection of Divine Providence, to defeat all the enterprizes which the enemies of the crown might presume to undertake, and convince them how dangerous it was to provoke the spirit and strength of Great Britain. The Commons were thanked for the cheerfulness

with which they had granted the large and ample supplies for the service of the year, as well as for their care in raising them in a manner the most effectual, and the least burdensome; and the warmest acknowledgments were due for the provision made for the more honourable support of the royal family."

The last particular mentioned refers to a bill passed in the course of the session for settling an annuity of 60,000*l.* on the six younger princes, of 30,000*l.* on the five princesses, and of 12,000*l.* on the prince and princess, son and daughter to his Royal Highness the Duke of Gloucester: the annuities to take effect, in the first instance, on the death of his Majesty, and in the second, on the death of the Duke of Gloucester.

Before we proceed in the progress of the war, it is necessary to take notice of an event, which, for obvious reasons, excited less sorrow than once it would have done; we mean the death of the celebrated Lord Chatham. In the midst of a speech he was making concerning the Duke of Richmond's proposed address, he was seized with a fainting fit, and expired at his seat at Hayes, in Kent, on the morning of May the 11th. Besides voting unanimously that his body should be buried at the public expence, and a monument erected to his memory, the House of Commons agreed to an address for an annuity towards the support of his family. In the House of Lords, some opposition was made to this last proposal; and although it was carried by a majority of forty-two to eleven, a protest against it was signed by the Duke of Chandos, the Lord Chancellor, the Archbishop of York, and Lord Paget. They objected to this unwarrantable lavishing of public money, and expressed some fears lest the present grant

grant might furnish a bad precedent. But in the House of Commons all was unanimity; the majority contended with opposition who should exceed in encomiums on the deceased, and in eagerness to honour his memory. The character of this great man is as yet involved in obscurity, but it is only the obscurity of party prejudice. Posterity will do that justice to his merit, which it is in vain to expect from men who feared, despised, and neglected him when alive; yet, by a strange inconsistency, would deck his funeral monument with laurels. That he had his failings, is a despicable objection, at least it is superfluous; for there never existed a character so bright as at no time to be clouded by the imperfections of humanity. Such for a time eclipsed the name of Chatham, but let it be remembered they never obscured the splendor of that of Pitt. His abilities were of the most attractive kind, for they drew and fixed the admiration even of his enemies: they were likewise of the most solid; for they raised this country from meanness to glory, from poverty to riches. When he was no longer admitted to a share in the government, the nation gave proofs of his loss by a gradual descent from the elevation to which he had raised it, to a degree of nothingness; from which his attempts to extricate it were unavailing. It is said, that before his death he acknowledged he had been deceived in some respects, and in his public opinions had been guided by that deceit; if so, this acknowledgment stands foremost in the list of his virtues. Happy will it be for England, if she is again blessed with a minister popular in his administration, wise in his councils, and successful in all his plans; who will sacrifice the emoluments to the duties of his office, and create enemies only among the enemies of his country.

We now return to the state of the campaign:—We left the British army in a situation truly discouraging to men who had been taught to despise the weakness, but not suspect the subtilty of their enemy. Their distress was accumulated by a fresh disagreement with Congress, occasioned by a request of the British general, concerning the embarkation of the convention troops. This the Congress refused, jealous lest they should attempt to join their brethren in other parts of the continent. These suspicions were farther increased upon General Burgoyne's having remonstrated, in warm language, against the hard usage his officers and men at Boston had met with. The Congress considered this remonstrance as amounting to a declaration, that the British general looked upon the convention as dissolved. Alarmed at this insinuation, General Burgoyne and his officers took every method in their power to convince the Congress that they had mistaken the general's meaning, and offered to sign any new writing that might be judged necessary for confirming the convention, but in vain; the Congress insisted that the embarkation should not take place until the convention should be ratified at the court of Great Britain. Whether the Congress were really afraid lest the sending so large a body of troops to England, and the consequent recruit to the British army in America, should give the latter a superiority; or whether France had any hand in advising the measure, is uncertain. Their firmest friends in England did not at this time offer to defend their conduct in any part of the treatment of General Burgoyne's troops.

On the Pennsylvania side the Americans were not successful; both in men and property they suffered considerably in several engagements conducted

ducted by General Howe, or his officers. In these expeditions, one reiterated cause of complaint was the wantonness of the British soldiers in burning the houses, places of worship, and principal buildings in the towns through which they happened to pass. Charges of murdering men in cold blood, and carrying off peaceable inhabitants as prisoners of war, were likewise thrown out. To compensate for these hardships and losses, General Washington made vigorous preparations for the campaign, not hesitating to give hopes to his soldiers, that it might be the last. His army was now inured to the toils of war, and cheered by the late success over the British forces at Saratoga; while their cause was not a little strengthened by the arrival of the conciliatory bills of last session, and the effects they produced on the minds of the British army. That army was inexpressibly agitated to find that the parliament held forth a language which directly contradicted the whole tenour of their former conduct. The Congress published the draughts of these bills in their gazettes, one of which General Washington sent to Governor Tyron, and, in a subsequent declaration, the Congress considered all those who should enter into any separate alliance with Great Britain as enemies to the United States. The day of reconciliation was supposed to be past; and if Congress were to listen to terms, it could only be after the removal of the hostile army and navy of Great Britain, or an acknowledgment of the independence of the United States. Soon after, Mr. Deane (an American agent) arrived at New York from France, with the treaties agreed upon at that court: at this the Americans rejoiced, and, besides the assistance they would now have from France, regarded

garded Spain as virtually agreeing to the same conditions.

About this time (May) General Howe returned to England, and was succeeded in the command of the army at Philadelphia by Sir Henry Clinton; and in the beginning of the following month the commissioners, the Earl of Carlisle, Mr. Eden, and Governor Johnston, (with whom was joined in commission the commander in chief, Sir Henry Clinton,) arrived in the Delaware. Dr. Ferguson, a philosopher, and a writer of considerable eminence, was secretary to this commission. The conditions they held forth to Congress were such as would at one time have been accepted, but that time had elapsed. The Congress declined entering on the consideration of peace, without a previous acknowledgment of independence. The commissioners made some attempts, in the public papers, to animate the people in the cause of Britain, as it had been supposed that a great proportion of these were well affected. Some of the members of Congress industriously obviated their endeavours by a counter address, in which they reminded the people of their solemn engagements with France, and how little was to be expected from those who had persecuted them with unabating cruelty.

About the middle of June, the British army evacuated Philadelphia. In the consequent retreat of the army to the northward, General Washington detached some troops to throw impediments in their way; but the superiority of the British forces frustrated his designs, although what he failed in took place from the unavoidable inclemencies of road and weather, which fatigued our army, and retarded their progress exceedingly,

ingly; insomuch that General Clinton thought it prudent to alter his course, and proceed towards the sea-coast. When General Washington discovered this, which was contrary to his expectations, he detached some chosen troops under the Marquis de la Fayette, (a young French nobleman, who had left his country to join the standard of Washington, from a pure love to the cause of liberty,) to harass the army in it's march. General Lee took the command of the advanced corps, amounting to upwards of five thousand men. As soon as General Clinton perceived that the main body of the enemy was following him in this manner, he relieved his rear from the impediment of the baggage, placing it under the command of General Knyphausen, who led the first column of the army, and taking himself the immediate command of the rear. Next morning, (June 28th,) as they proceeded on their march, several columns of the enemy made their attack upon the rear by a severe cannonade, begun about ten o'clock. As General Clinton saw that, by sending detachments towards his flanks, their intention seemed to be to possess themselves of his baggage, he made speedy preparations for a vigorous attack upon that body of the enemy which appeared at his rear. This was a critical situation. Measures were, however, so well concerted, that, after the enemy's cavalry had been driven back in confusion, the whole army fell back, before General Clinton could advance, and took a strong position on the heights above Monmouth Court-house; after which they were completely routed, and obliged to take another position, where their front being covered by a marshy hollow, it was scarcely possible to attack them. Having achieved this important advantage, the British army continued

their march. Their loss in killed was considerable, if we except the death of the brave Colonel Monckton. The excess of heat and fatigue caused the death of fifty-nine soldiers.—The Americans did not consider themselves as inferior on this day, but they imputed much of their loss to the misconduct of General Lee. The Congress ranked the action among their victories, and bestowed high encomiums on General Washington and his army. A court-martial being ordered on the conduct of Lee, he was found guilty of disobedience of command, and suspended from any office in the armies of the United States for a twelvemonth: such was the military discipline already established in this infant army. In the mean time the British army arrived at the highlands of Navesink, in the neighbourhood of Sandy-hook, on the last day of June: Lord Howe's fleet arrived at the latter place on the preceding day. The army was afterwards safely conveyed to New York. General Washington gave them no disturbance in their embarkation at Sandy-hook, as he was convinced it would have been impracticable, as well as dangerous.

On the 11th of July, D'Estaing appeared in sight of the British fleet at Sandy-hook. His force consisted of twelve sail of the line, and three frigates. That under Lord Howe consisted of eleven sail of the line, including two ships of forty guns each, and some frigates and sloops. D'Estaing cast anchor on the Jersey side, about four miles without the Hook: his design was to attack the English fleet in the harbour. Here he continued for eleven days; and all the activity and spirit displayed on board the British fleet, together with the popularity of their noble commander, and the assistance daily received, were not sufficient to prevent

prevent their keenest regret on seeing a British Squadron blocked up in their own harbour, and the French flag flying without. D'Estaing, however, departed on the 22d from the harbour, and in a few hours was out of sight, and soon after part of Admiral Byron's fleet, which we mentioned to have sailed from Portsmouth during the last session, arrived at Sandy-hook, although after many losses by tempestuous weather. D'Estaing and General Sullivan now directed their thoughts to the reduction of Rhode-island. The latter was to invade the island, on it's north end, from the continent; and the former was to enter the harbour of Newport, near it's southern extremity, and thus inclose the British troops on every side.

Against this powerful combination Major General Sir Robert Pigot, who commanded the British forces, took every possible precaution, although the enemy, by being masters of the sea, had superior advantages, which it was not in his power to obviate. General Sullivan's force amounted to ten thousand men. On the 8th of August D'Estaing's fleet anchored above the town of Newport, between the Great Island and Conanicut. Lord Howe, as soon as he received intelligence of the danger at Rhode-island, set sail to relieve it; but, through unavoidable delays, did not arrive until the day after the French had entered the harbour. Next day D'Estaing stood out to sea: the English admiral endeavoured to have the weather-gage, but the wind being adverse to his design, he determined to engage the enemy, but was prevented by a violent tempest, which separated and damaged both fleets. Some single ships falling in with each other, produced en-

gements, attended with more bravery than advantage. The *Isis*, of fifty guns, having engaged a French seventy-four gun ship, and forced her to run away, is a circumstance not to be overlooked. Lord Howe having refitted his ships, prepared to encounter D'Estaing, who had returned to Rhode-island on the 20th, and from thence had sailed two days after for Boston, in order to repair.

In the mean time the land forces on both sides had begun their operations. General Sullivan, having landed on the north end of Long-island, brought forward his stores and artillery, and on the 17th constructed batteries on Honeyman's-hill, and formed lines of approach. The British General was not inactive, and Sullivan was deserted by the New England and Connecticut volunteers. These troops, as well as his whole army, were greatly discontented with the conduct of D'Estaing; who, instead of co-operating with them in the reduction of the island, which, possessed as he was of the harbour, would have been easily practicable, neglected his immediate duty for attempts founded in vanity and want of judgment, to engage the British admiral. Weakened by this desertion, Sullivan found himself under the necessity of retreating from his lines, and gained the north end of the island without sustaining any considerable loss. He then passed over his army, by the way of Bristol and Holyland ferries, on the 30th, to the continent. The same day Lord Howe, on entering the bay of Boston, found D'Estaing before him, and so effectually covered by the batteries erected by the French and Americans, in Nantasket-road, that it was judged imprudent to attack him in his present situation. Soon after this, Lord Howe, in consequence

sequence of a previous leave of absence, returned home, and the command of the fleet devolved upon Admiral Gambier.

Sir Henry Clinton being disappointed in his intentions of preventing Sullivan's return to the continent, dispatched the fleet of transports and troops commanded by Major General Grey, under the convoy of the Carysfort frigate, in order to extirpate a nest of small privateers in the rivers and creeks adjoining to Buzzard's-bay. In this expedition they were very successful, and completed their work in less than twenty-four hours, destroying about seventy sail of shipping, besides magazines, wharfs, stores, &c. and having proceeded to the island called Martha's-vineyard, procured vast quantities of sheep and oxen for the public service at New York. The success of this determined General Clinton upon another to Egg-harbour, on the Jersey coast, where a number of privateers and prizes lay. After some difficulties, this purpose likewise was accomplished, and a considerable number of ships, storehouses, and salt-works destroyed. Some information having been given to Captain Ferguson, who commanded on this expedition, relative to the careless manner in which Pulaski's light infantry conducted themselves, he surprized that body, and cut almost the whole to pieces. The cruelties practised in obtaining this victory, afforded the Americans fresh ground of complaint and invective against the unusual barbarity with which this war, unlike all others, was attended. In some measure the severities may be accounted for by a report spread among the British soldiery, that Pulaski had issued public orders to deny quarter to any of the British troops. The effects of such reports are sufficient to deter a man of humanity

from giving any encouragement to them; they induce a savage disposition, as much the reverse of bravery, as the sanguine cruelty of savages differs from the manly nature of Englishmen. At this time Lord Cornwallis and General Knyp-hausen made a disposition of their troops so favourable, that being only separated by the North River, they could unite their forces within twenty-four hours, while, as they possessed the channel all the way up to the high lands, they prevented the separated strength of General Washington from uniting in less than eight or ten days. Lord Cornwallis planned and executed a successful movement against Baylor's regiment of light horse, by which that regiment was entirely ruined, being surprized asleep and naked, in the night.

In the mean time the Indians began to put in practice their predatory designs. Colonel Butler, and one Brandt, half an Indian by birth, headed many parties in expeditions, attended with much cruelty to all ages, sexes, and conditions, and many devastations, particularly the destruction of Wyoming, a happy and thriving settlement, consisting of eight townships, each containing a square of five miles, situated on the eastern branch of the Susquehanna. To enumerate all the instances of horrid barbarity exercised on this occasion, would appear an exaggerated satire on the cruelty the human mind is capable of; we would draw a veil over the whole, if by that the character of the English nation could remain unaffected; but it is to be feared this is impossible; the transactions of Butler and his savages stand recorded in monuments that will last with time itself, and chill every tender breast many a distant year, when the expediency of employing monsters in human shape will be tried by unalterable laws, by a comparison with

with all former wars, and by judges unbiaſſed with a ſpirit of party that perverts the underſtanding, unhumanizes the heart, and indelibly ſtamps a contemptible memento on the character of civilized nations.

These injuries called loudly for revenge, an emotion aggravated by the nature of the provocation; little, however, was done in the indulgence of it. A ſmall party of between two and three hundred men, headed by a Colonel Clarke, after marching, through a moſt wild and uncultivated country, about twelve hundred miles, reduced the French ſettlements planted by the Canadians on the upper Miſſiſſippi, the governor of which had been very active in ſupplying the ſavages. This detachment took the town and fort of Kaskaskias, ſent the governor to Virginia, and made the fort their head quarters. Having taken three other French towns, they compelled the inhabitants to take an oath of allegiance to the United States, in which they complied with readineſs. Some other expeditions againſt the Indians, from the upper and remote parts of Pennſylvania, were equally ſucceſſful. But from theſe ſcenes of human deformity let us return to the pacific operations of the commiſſioners.

Irritated by all the untoward circumſtances of this war, and jealous of every placid appearance, the Congreſs were not in that tractable humour, which could alone prove favourable to peace, and their chagrin and diſguſt was greatly increaſed on a diſcovery that ſome of the commiſſioners had been endeavouring to eſtabliſh a ſyſtem of private negociation with ſuch individuals as appeared to have influence with the people. The letters which paſſed in this manner were laid before the Congreſs, upon which they drew up three reſo-

lutions upon the subject, and sent them by a flag to the commissioners. In the declaratory part, they give the most remarkable and obnoxious passages in these letters; and determine, that they consider them as direct attempts to bribe the Congress; and that it is highly incompatible with the honour of Congress to hold any manner of intercourse with George Johnstone, Esquire, the principal writer of these letters. In his answer, he reprobates their unpatriotic spirit, and declares that he considers their resolution respecting him as a mark of distinction. He does not, however, formally refute the charges. It was said that he offered to bribe General Joseph Reed, offering him 10,000*l.* to which Mr. Reed answered, that "he was not worth purchasing; but such as he" was, the King of Great Britain was not rich "enough to do it." This part of the transaction Mr. Johnstone disavowed afterwards solemnly. Lord Carlisle, Sir Henry Clinton, and Mr. Eden, declared their ignorance of the matters specified by Congress. They endeavoured, above every consideration, to demonstrate how contrary an alliance with France would in the end prove to the Americans; and went so far as to say, that in this alliance the Congress had proceeded in contradiction to the opinion of the people, the majority of which, they declared, were firmly attached to Britain. The Congress made spirited replies to these assertions, and prevented (if it was necessary to prevent) their operating upon the minds of the people. Finding milder means ineffectual, the commissioners, in the beginning of October, issued their celebrated manifesto and proclamation. In this they first recapitulated their former assertions respecting the conduct of the leading men in America, and the great pains which they
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(the commissioners) had taken to effect a reconciliation; and then informed the people that a total change would immediately take place in the system of the war; a change to which Britain now was driven from necessity, in order that she might destroy, or render useless, a connection contrived for her ruin, and the aggrandizement of France. In consequence of this declaration, the Congress, in a cautionary address, advised the people to some measures for their defence against the depredations and rapine which it would now be natural to expect. They concluded with a recommendation, "that when the enemy begin to destroy any town, the people ought to burn and destroy the houses and properties of all tories and enemies to the states in that town, and secure their persons; avoiding, however, that wantonness of cruelty which was practised by the enemy."

About three weeks after, Congress published a manifesto in direct answer to that of the commissioners, in which the conduct of the latter is spoken of with great acrimony. The manifesto concludes with these words: "But since their incorrigible disposition cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity. We, therefore, the Congress of the United States of America, do solemnly declare and proclaim, that if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the rectitude of our intentions. And in his holy presence we declare, that as we are not moved by any light or hasty suggestions of anger or revenge, so through every possible change of fortune we

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will adhere to this our determination." Thus ended the negociation for peace.

General Clinton, towards the close of the year, meditated the recovery of the province of Georgia. Many advantages presented themselves from success in this design: besides the products of the province, which were much wanted, the possession of it would open a wide door into South Carolina. Both the time and season were in the general's favour. The land forces, consisting of the 71st regiment of foot, two battalions of Hessians, four of provincials, and a detachment of the royal artillery, were put under the command of Colonel Campbell, and sailed from Sandy-hook on the 27th of November, under convoy of Commodore Hyde Parker. Instructions were sent to Major General Prevost, who commanded the troops in East Florida, to collect what troops he could, and invade Georgia on that side. In about a month the transports arrived at the island of Tybee, near the mouth of the river Savannah, and from what intelligence they were able to procure of the strength of the enemy, they had little to fear from their resistance. After some difficulties, they procured a landing-place, and open way to the capital, Savannah. The rebel army, under Major General Robert Howe, were drawn up about half a mile east of Savannah. Colonel Campbell immediately advanced to attack them, and conducted his movements and dispositions so happily, as to gain a compleat victory over them, in which thirty-eight commissioned officers, four hundred and fifteen non-commissioned and privates, forty-one pieces of cannon, twenty-three mortars, the fort, the shipping, the capital of Georgia, became his property before night. Within less than a fortnight, the whole province was recovered, excepting

ing the town of Sunbury; and just about the time when Colonel Campbell was preparing to reduce Sunbury, it surrendered to Major General Prevost, who had suddenly surrounded the town and fort, and who now took the command of the British forces, on his arrival at Savannah.

In the mean time, our enemies, in another quarter, were busily employed in dismembering this empire. The island of Dominica, in the West Indies, surprized by the Marquis de Bouille, governor of Martinico, with two thousand men, was obliged to capitulate: the Marquis granted their terms without reserve, and no pillage was permitted; the French soldiers, in lieu of it, being allowed a gratuity in ready money. D'Estaing soon after set out from Boston for the West Indies, with his fleet repaired, and his troops in good health. Before his departure, he caused a declaration to be published among the French Canadians, in the name of their ancient master, the French King, in which he endeavoured to prepare them for an invasion either from France or America, and recall their allegiance to the former. Admiral Byron, as soon as the damages his fleet had sustained from the weather had been repaired, set out after D'Estaing, in order to observe and frustrate his operations in the West Indies. General Clinton dispatched about five thousand men for the West Indies, under the command of Major General Grant, and convoyed by Commodore Hotham. This detachment arrived safe at Barbadoes, on December the 10th, where they joined Admiral Barrington. Without suffering the troops to land, an expedition was undertaken against the island St. Lucia, and conducted with great skill and success; but scarcely had the last French flag been struck, when
D'Estaing

D'Estaing appeared in view of our fleet and army. The most active vigilance was now necessary, in order to protect our fleet; and in the morning, when D'Estaing bore down upon them with ten sail of the line, they were received with so much firmness, as to be obliged to draw off. With twelve sail the French commander renewed the fight in the afternoon; but, after a warm engagement, was obliged to retreat in great confusion, and without having made any impression on the British lines; and next day he set sail, and anchored in the evening off Gros Islet, about two leagues to the northward. The situation of the British ships was, in this affair, truly critical, and the honour they reaped very conspicuous. After the departure of D'Estaing, the troops were employed in securing the strong holds, and taking every position and precaution that circumstances of time and place would permit. In an attempt by land, with five thousand troops, D'Estaing suffered severely, and was obliged to retire in great disorder, after having lost a considerable number in killed and prisoners. It is said, that four hundred men were killed on the spot, five hundred so desperately wounded as to be rendered incapable of service, and six hundred more were slightly wounded. The loss on our side was inconsiderable; the reputation gained by our troops greater than that in almost any other action. D'Estaing, some days after, embarked his troops, and abandoned the island, which now capitulated, and the victors granted them very favourable conditions.

In Britain, disappointed as she now was of reconciliation with the colonies, involved in an unexpected war with France, and without a single ally, it became necessary to call forth the strength of the nation with speed and alacrity. The mi-

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lities were embodied, and camps formed in different places; and not a few conceived great hopes from the appointment of Admiral Keppel to the command of the grand fleet at Portsmouth. This fleet was found in a very insufficient condition; but so vigilant and active were the admiral's endeavours, that about June he was enabled to take the seas with twenty sail of the line, and a promise of reinforcement. There were many important objects to be committed to this fleet; France had at this time a strong fleet at Brest, designed for some great expedition, and our commercial fleets were on their way home; to this may be added the necessity of having our coasts in a continual state of security. At the time that the admiral sailed, war had not been declared, nor even reprisals ordered; so that when two French frigates appeared taking a survey of the fleet, while in the Bay of Biscay, the admiral found himself not a little perplexed. Determined, however, to abide by the consequences of such conduct as the necessity of the moment suggested, he gave orders for a general chase. After an obstinate engagement, one of the frigates was taken, and soon after another; from which the admiral learnt, that the fleet under his command bore a very considerable proportion to any that could be brought out against him. To his inexpressible surprize, when he came within sight of Ushant, he learned that the French fleet in Brest-road, and Brest-water, amounted to thirty-two sail of the line, besides ten or twelve frigates. This vast superiority reduced him to the necessity of returning to Portsmouth. On his arrival, no charge was made out against him; although taking the frigates, and returning from his station, were two operations directly contrary to his orders. He did

did not, however, escape a great share of abuse from those newspapers which are commonly called *ministerial*, and which are believed to defend the measures of government from venal motives. Be that as it may, the admiral paid very little attention to anonymous accusers, but made suitable preparations for taking the seas again; and, by the arrival of some trade-ships from the West-Indies, he was furnished with an additional supply of men; so that, on July the 9th, he was enabled to put to sea with twenty-four sail of the line, and was on the way joined by six more, with one additional frigate, and two fire-ships. The French King made the capture of his frigates a pretence for ordering reprisals; this was retorted on the part of Britain, and war was now virtually proclaimed, although the accustomed ceremony was not, and has not since been performed. The day before the British fleet sailed from Portsmouth, the French fleet sailed from Brest, amounting to thirty-two sail of the line, with a great number of frigates, under the command of the Count D'Orvilliers, assisted in his several divisions by Admiral the Count de Guichen, Count Duchaffault, M. de Rochechevart, the Duke de Chartres, Count de Grasse, and M. de la Motte Piquet. The English fleet was divided into three divisions; the van commanded by Admiral Harland, of the Red, and the rear by Sir Hugh Palliser, of the Blue. Rear Admiral Campbell acted as first captain on board Admiral Keppel's ship. The fleets came in sight of each other on the 23d of July. When the French commander perceived that Keppel's fleet had been reinforced, he avoided an engagement; and as night was fast coming on, the latter formed a line, leaving it to the enemy to make an attack. In the morning the French fleet had
gained

gained the weather-gage, by which they had it in their power to hazard or avoid an action. Admiral Keppel had many motives for attempting to bring on a general engagement; among none of the least was the protection of the two East India, and two West India fleets hourly expected. It was probable, at the same time, that the French commander had hopes of a reinforcement. Mr. Keppel discontinued the signal for preserving the line of battle, and put up that for chasing to windward. In this manner he kept up a chase, in order to seize the first opportunity of a change of wind, to bring the enemy to a close and decisive action.

On the morning of the 27th of July, the vice-admiral of the blue was rather more to leeward than his station required; upon which Mr. Keppel threw out a signal for several ships of that division to chase to windward. About eleven o'clock, the fleets were so shifted by changes of wind, not easily understood by landmen, that an engagement seemed inevitable, which the French endeavoured to avoid by putting about to a contrary tack, instead of lying to, and receiving the British fleet in a line of battle on the same tack; so that the ships could only engage as they passed. In this situation, any British ship that could fetch the head of the French fleet, would engage with every ship in their line. This mode is obviously disadvantageous for the purposes of a general engagement, but there was now no choice. The French began by firing from a great distance at the headmost of Sir Robert Harland's division, who did not return a single shot till they came very near: the example was followed by the rest of the British fleet, so that in a short time they were all in battle. The action lasted about three hours,

hours, and both sides did considerable execution. As soon as the smoke permitted Admiral Keppel to make an observation, he perceived that the vice admiral of the red, with part of his division, had already tacked, and was standing towards the enemy; but that none of the other ships, which were come out of action, had yet tacked. His own ship, the *Victory*, was not in a condition for immediate tacking; but, notwithstanding her damages, she was the first ship that wore of the center division, and that got round again towards the enemy. Hauling down the signal for battle, he made the signal for forming the line of battle a-head. The *Victory* now was a-head of all the center and red divisions, and had time to unbend her main topsail, (which had been rendered totally unserviceable,) while the ships a-stern were getting into their respective situations. The vice-admiral of the blue was a-head of the *Victory*, his proper station, yet disregarded the signal, quitted his station, passed his admiral to leeward on the contrary tack, and never came into the line during the rest of the day. By this manœuvre, the *Victory*, the nearest ship to the enemy, was supported by no more than three or four of her own division. Sir Robert Harland, with six or seven of his division ready for service, was to the windward; other ships were far a-stern; and five, disabled in their rigging, were at a great distance to leeward; so that all the force which the admiral could collect for the engagement, at three o'clock, was twelve ships. The French, observing the exposed situation of the British ships which had fallen to leeward to repair damages, formed an intention of cutting them off from the rest of the line. The admiral, perceiving their design, stood athwart the van of the enemy, in a diagonal line, for

for the protection of his ships; ordering Sir Robert Harland to form his division at a distance, a-stern of the Victory, in order to cover the rear, until the vice-admiral of the blue should obey the signal, and bring his division into it's proper station. This movement formed the grand charge against Admiral Keppel. Having accomplished, by his motions, the protection of the disabled ships, he repeated his signals for the ships to come into his wake; but, by some unlucky repetition of the signal by the vice-admiral, it was not obeyed as Keppel intended. The vice-admiral of the blue still continuing to windward, a frigate was dispatched to him, with express orders that he should bear down into Admiral Keppel's wake; this produced no effect; and, before another signal for these ships to take their station in the line could be obeyed, night came on, and interrupted all farther operations. On the return of daylight, the British fleet descried the French fleet at an immense distance, bearing for the port of Brest; in a few hours they were entirely out of sight. The loss of men in the British ships amounted to an hundred and thirty-three slain, and three hundred and seventy-three wounded. Private accounts from France estimate their loss at two thousand killed and wounded. Leaving a proper force for the protection of the homeward-bound fleet, Admiral Keppel returned to Plymouth to refit. He soon was enabled to put to sea, which he kept as long as the season would permit. The French fleet were also at sea, but studiously avoided an engagement. When, on the approach of winter, Admiral Keppel returned, he was received, both at court and admiralty, with great marks of approbation and esteem. The above brief account is selected from the printed trial; but it is

difficult to give any account of it unmixed with those terms of art that are more unintelligible than any others: it must rest with the historian to take his decision from that of the public trial.

The parliament met on November the 25th. His Majesty remarked, that in the time of profound peace, without pretence of provocation, or colour of complaint, the court of France had not forbore to disturb the public tranquillity, in violation of the faith of treaties, and the general rights of sovereigns; at first, by the clandestine supply of arms, and other aid, to the revolted subjects in North America; afterwards, by avowing openly their support, and entering into formal engagements with the leaders of the rebellion; and, at length, by committing open hostilities and depredations, and by an actual invasion of the dominions in America and the West Indies. His Majesty said, it would have afforded him great satisfaction to have informed the parliament of the success of the American conciliatory measures; but that he did not doubt of the concurrence and support of parliament in active exertions.

It is remarkable, that in this speech, of which the above is the principal part, no mention whatever is made of the war in America. In the course of the debates on the address from the House of Commons, an amendment was proposed by a member in opposition, enquiring, "by what fatal councils, and unhappy systems of policy, this country had been reduced to her present situation." The arguments of opposition, in favour of this amendment, tended, as usual, to demonstrate the incapacity of the present ministers for the purposes of conducting the war, and their inconsistency in every step of its progress. The friends of ministry declined entering

tering into any discussion of the old subjects, confining their speeches to a defence of their management of our naval force, and the evacuation of Philadelphia. One of the commissioners, however, who had returned some time before the meeting of parliament, gave his opinion for continuing the system of coercion, and accompanying concession with force; that he believed that two-thirds of the people of America were desirous to return to their connection with Great Britain, but were deterred by a surrounding army, and the diffidence they had in the support of government; and that the retreat of the army from Philadelphia occasioned the failure of the conciliatory plans. The amendment was rejected by a majority of two hundred and twenty-seven to an hundred and seven. In the House of Lords, the peers in opposition proposed no amendment, but condemned the whole in all it's parts. The lords in administration thought it a very odd measure to condemn the address, without substituting another in it's place. The majority in favour of the address was sixty-seven to thirty-five, who proposed a total negative upon the whole.

In consequence of a motion for the purpose, a copy of the valedictory manifesto of the commissioners was laid before the House of Commons on December the 4th. Mr. Coke moved for an address to his Majesty, expressing that the sense of the House was directly against those exceptionable passages in the manifesto, which were inconsistent with that humanity and generous courage, which, at all times, have distinguished the British nation; were subversive of the maxims which have been established among christians and civilized communities; derogatory to the dignity of the crown of this realm; tending to debase the spirit, and

subvert the discipline of his Majesty's armies, and to expose his innocent subjects, in all parts of his dominions, to cruel and ruinous retaliations. In defence of this motion, the employment of the Indians, and converting English soldiers into assassins, degrading the profession of arms, and exchanging the humane temper of Britons for the blood-thirsty minds of Cherokees, were severely reprobated; and it was alledged, that no peace could originate from ministers who had thus levelled those distinctions that elevated the character of Britain, and had precluded every idea of pacification by cruel and irritating provocations. They, on the other hand, said that the declaration in question merely went to warn the Americans of their danger in persisting in a revolt, and in an unnatural connection with France; and that they should be no longer considered as fellow-subjects, but as part of the French nation. They disclaimed every idea of barbarity in the conduct of the war, and wondered how gentlemen could so misunderstand the terms of the declaration. To this opposition answered, that there could be no misunderstanding; the words were plain, that the war was now to be conducted with a degree of rigour hitherto unknown; "they had hitherto refrained from the extremes of war, and the desolation of the country." In this assertion opposition were powerfully seconded by one of the commissioners; who, although he defended the measure, declared that the proclamation did mean a war of desolation, and could mean nothing else. The ministry were astonished at this declaration, which assented to a fact contrary to all their professions. General Burgoyne powerfully attacked the American secretary, and declared that no good was to be expected from that quarter,

quarter, while he continued in office. Lord George Germaine answered, that he had always acted according to the best of his judgment. The proposed address was rejected by a majority of two hundred and nine to one hundred and twenty-one. A similar proposal in the House of Lords was rejected by seventy-one against thirty-seven; a protest was entered, in favour of the address, by thirty-one peers.

About this time, the conduct of Admiral Keppel and Sir Hugh Palliser, on the 27th of July, became a matter of discussion both within and without doors. It would be endless to enumerate the many acrimonious speeches in the house, the severe and almost universal censures passed on the conduct of Sir Hugh Palliser, and the variety of allegations and enquiries proposed in parliament. Let it suffice, that the result was the trial of Admiral Keppel, by court-martial, at Portsmouth, during the Christmas recess. The 1779. trial began the 7th of January, and continued until the 11th of February following. After this long sitting of thirty days, the admiral was acquitted of every charge laid against him, in the fullest, clearest, and most honourable manner; and it was declared in the sentence of the court, that the charge was malicious and ill-founded. The day after the sentence was pronounced, a motion was made in the House of Commons, That the thanks of this house be given to the Honourable Augustus Keppel, for his distinguished courage, conduct, and ability, in defending this kingdom in the course of the last summer, effectually protecting its trade, and more particularly for his having gloriously upheld the honour of the British flag on the 27th and 28th of July last. A similar motion was made in the House of Lords, and

both were agreed to unanimously. Rejoicings took place throughout London and Westminster, not unattended with riots, and those dangerous marks of indignation which the mob take every opportunity to inflict. Sir Hugh Palliser, the object of universal contempt, or, at least, whom nobody openly dared to defend, resigned all his employments, even to his seat in the house, excepting only his vice-admiralship. It was alleged, however, at the same time, that Admiral Keppel was received at court, and treated by the admiralty, in a manner more cool and questionable than it was natural to expect from the late decision of the court-martial.

The first lord of the admiralty became now a particular mark for the attacks of opposition; and from some papers, which in consequence of an address had been laid before the house, Mr. Fox moved the following resolution: "That it appears to this house, that the sending Admiral Keppel, in the month of June last, to a station off the coast of France, with a squadron of twenty ships of the line, and four frigates, at a time when a French fleet, consisting, as there is great reason to believe, of thirty-two ships of the line, and certainly of twenty-seven, with a great number of frigates, was at Brest, and ready to put to sea, was a measure greatly hazardous to the safety of the kingdom, without any prospect of an adequate advantage." In answer to the arguments with which Mr. Fox defended this resolution, the friends of ministry said, that it would be necessary to establish the fact, "that there were twenty-seven ships of the line in Brest," before the house could ground a resolution, much less a censure, upon it; that the evidence, to wit, the papers found on board those frigates which Ad-
miral

miral Keppel took, was insufficient, as those papers were without dates, and contained nothing more than an order to provide anchorage for such a certain number of ships, which ships might, or might not, have been ready. Besides, as several French merchantmen had been allowed to pass through the British fleet, the strength of which, of course, they would report at Brest, how came it about that the French fleet did not immediately seek to engage a force so inferior? To this particular opposition answered, that D'Orvilliers could not leave Brest without special orders from his court, until he should be assured that Admiral Byron had left the Channel: this had evidently been the case, for as soon as Admiral Byron's destination was known at Paris, orders were sent to D'Orvilliers to put to sea. They likewise alledged that proofs of the strength and number of the Brest fleet had been procured by Admiral Keppel from several of the French seamen who had newly come out of Brest. This did not serve to promote the success of the motion, for, on a division, it was rejected, by a majority, however, only of thirty-four.

Not discouraged by this failure, Mr. Fox, a few days after, brought on the business in another shape: and as the former resolution was particular, this tended to establish a general fact, as well known to foreign powers as to ourselves, and as notorious to every individual in the nation, as to the cabinet. The motion was, "That it appears to this house, that the state of the navy, on the breaking out of the war with France, was very unequal to what this house and the nation had been led to expect, as well from the declarations of his Majesty's ministers, as from the great sums of money granted, and debts

"incurred, for that service, and inadequate to the exigencies of the various services, for which it is the duty of the minister to have provided at so important a crisis." Ministerial friends alledged, that the facts upon which this resolution was founded were unfairly stated, and they denied the superiority of the French over the British in the Channel and in America; that, with respect to the Mediterranean, it was impossible to provide a suitable defence for every part of our possessions, and that therefore ministers considered the defence of such as were most important, or most exposed. Lord Howe, in answer to this, said, that if the Mediterranean service should be neglected, this country could not preserve it's natural superiority; and that he had left his professional employment, because he was convinced he never could be useful to his country under it's present counsellors. Admiral Keppel, in a long speech, replete with facts, demonstrated the negligence and insufficiency of the admiralty-board to those important purposes intrusted to them. The fulness of the house gave ministry, however, that confidence which their arguments were unequal to, and a division being called for, the motion was rejected by two hundred and forty-six to an hundred and seventy-four. This decision was followed by the resignation of Admiral Keppel; who said he never could think of resuming a command under the present naval administration. Sir Robert Harland, Capt. Gower, Sir John Lindsey, and some other officers, quitted the service about the same time.

About the middle of February, Sir Philip Jennings Clerk made an attempt, as he had done last session, to disqualify contractors from sitting in the

the house. The motion was carried, upon a division, by a majority of an hundred and fifty-eight to an hundred and forty-three; but on the second reading the bill was lost, upon the motion of referring it to a committee; the question was rejected by a majority of forty-one: after which the minister moved that it might be laid by for four months, which was carried. Two or three days after it was moved, that the house should resolve itself into a committee, in order to consider of granting further relief to protestant dissenting ministers and school-masters. Some high churchmen opposed this toleration, but without effect, as the bill, framed for the purpose, was carried through both houses with facility.

We have seen the unwillingness of parliament to attend, in any material degree, to the grievances of Ireland. The complaints from that country became every day louder. Besides the losses she sustained from the American war, and the ancient restraints upon her commerce, an embargo had been continued from the year 1776. Their beef and butter were perishing in their warehouses, and their linen trade contracted to almost nothing. The embargo had answered no beneficial purpose. The want of Irish provisions had not retarded the armaments of the French, and their West India islands were supplied on as good terms as our own islands, with many articles. In the northern parts of Germany, and other countries adjoining to the Baltic, the traders had begun their trade of curing and packing beef, and had sent considerable quantities of it to French markets; and although they had as yet made but slow progress in the art, it was evident they soon would take it entirely from the Irish; who did not scruple to affirm, that the cause of the embargo was merely the avarice of contractors.

contractors. Added to these complaints, it was found that the rents in Ireland had been very much increased. The people were poor, and destitute of employment; and although about twenty thousand of them had received relief from charitable donations and subscriptions in Dublin, yet this went but a short way to remedy the general and growing evil. The members of the House of Commons, who represented these grievances, were of opinion that necessity ought now to impel us to the preservation of what remained of our empire; that however loyal the Irish had proved hitherto, yet there were bounds to which it would be both cruel and unjust to drive them; and if we should remain their masters by a continuance of griping tyranny, as soon as a peace was brought about, they would emigrate to America, and transport to that country those manufactures, arts, and industry, from which this country reaped undeniable advantages. The exports from England to Ireland, on an average of ten years, amounted to 2,057,000*l.* yearly. The exports from Ireland to England, upon an average of the same time, did not exceed 1,353,000*l.* annually; so that the balance of trade in favour of England exceeded seven millions sterling in that time. This was exclusive of the immense sums drawn from that country every year, under the heads, rents to absentees, pensions, and the emoluments of places to those who never saw the country; appeals in law and equity; business and pleasure. The decrease of the exports from England to Ireland during the last two years, amounted upon an average to no less than 716,000*l.* per year. On the other side, it was alledged, that if the distresses of Ireland were so great as represented, which was doubtful, it was not owing so much to
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the trade-laws here, as to mal-administration there, and to faults in the internal constitution of their government. That if Ireland had suffered from the American war, England had much more so; and while gentlemen were apprehensive of a rebellion in Ireland, they should reflect on the much more dangerous consequences of one in England; which we had just cause to dread, if any addition were made to the distresses of our manufacturers. Influenced by these and similar arguments, and the remonstrances of some trading towns, parliament continued to refuse that relief which the Irish demanded.

About the middle of April, Mr. Fox made a fresh attempt towards a vote of censure against Lord Sandwich, moving for an address to the throne that his Majesty would be pleased to remove the Earl of Sandwich from his Majesty's presence, councils, and service, on account of misconduct in his office, as first commissioner of the admiralty; and of the general ill state of the navy, at the most critical seasons, under his administration.—The principal arguments against this motion were, that as they had put a distinct negative on each allegation upon which the motion was founded, they could not now assent to a motion not established by facts. Mr. Fox replied, that although the censure might not result from any one charge taken separately, it certainly did so from the whole. The neglect of reinforcing Lord Howe, and of our trade and fortresses in the Mediterranean, with the more palpable negligence in the month of June last, taken together, would certainly form just cause of censure. There was little reason to expect, that a man who had shewn himself, on every occasion, so incapable of the duties of his office, would be the proper person to
extricate

extricate the nation from the disgraceful difficulties into which he had involved it. The loss of many brave officers, and the general discontents created in the navy, were charges of a nature too important to be easily evaded, and were of themselves sufficient causes of removal.—After a tedious debate, in which the conduct of Lord Howe and Admiral Keppel furnished considerable matter for distraction of public opinion, the motion was rejected by two hundred and twenty-one to an hundred and eighteen.

But Lord and General Howe had so often heard themselves the objects of invective in the house, and so many doubts thrown out relative to their conduct, that they now became very loud in their requests for a parliamentary enquiry into their conduct in the American war. Ministers, upon this, denied that they made any charge against the noble brothers, yet had no objection to lay the American papers before the house. General Burgoyne embraced this opportunity of promoting an enquiry into his part of the affair, and the house resolved itself into a committee. The minister, however, was greatly averse from this enquiry; he saw no necessity for it; the conduct of Sir William Howe was sufficiently justified in the papers laid before the house; and if there had been an accusation laid against the commanders, surely the consideration of military affairs was above the cognizance of the house, and properly belonged to courts appointed for the purpose; and if the intention of gentlemen, by this enquiry, was not to throw an oblique censure on ministers, it was not easy to understand what good purpose it could serve. To this it was answered, that the conduct of ministers, and that of commanders, were too fatally connected in this war, and that the plans and the means

means must be examined together. To deny the competence of the house to institute this enquiry, was a daring violation of the privileges of parliament. On this occasion, Sir William Howe proposed that Earl Cornwallis should be examined, "as to the general conduct of the American war; to military points generally and particularly." The minister, hearing this, instantly proposed an amendment, "That Lord Cornwallis be called in, and examined relative to general and particular military points, touching the general conduct of the American war." Nothing could excite greater indignation than this evasion of enquiry and truth; but on a division, the minister carried his amendment by an hundred and eighty-nine to an hundred and fifty-five. The main question being then put, was rejected by an hundred and eighty to an hundred and fifty-eight. This seemed to give a finishing blow to the enquiry; but opposition were determined not to let it perish in this manner, and renewed the motion for the examination of Lord Cornwallis, a few days after, so ably supported, that no means employed by the minister were sufficient to frustrate the fair hearing of that noble Lord. Besides Lord Cornwallis, Major General Grey, Sir Andrew Snape Hammond, with others, were examined, and the following facts resulted from their evidence. The force sent to America was at no time equal to the subjugation of the country; which proceeded partly from the aversion of the people to the government of Great Britain, and partly from the nature of the country, which obstructed many military operations. Several other local points were established, which tended to a refutation of the charges brought against the commander in chief. It was at the same time
proved,

proved, that the American minister had been constantly reminded of the difficult and impracticable nature of the war, that he had discredited what was said on the subject, and sent not out the necessary supplies; and what reinforcement he at length had sent, came too late for any purpose of importance in the campaign.

After a variety of facts, tending to the defence of the commander in chief, and the censure of the American secretary, had been established, evidence was moved to be heard on the other side. The opposition at first reprobated the design of bringing up American refugees, pensioners, and custom-house officers, to impeach and set aside the evidence of military men of high rank, and great professional knowledge. This objection being over-ruled, orders were issued for the attendance of General Robertson, General Jones, John Maxwell, and others. During the time that intervened between the calling and appearance of these gentlemen, evidence was heard on the part of General Burgoyne. The officers examined were Sir Guy Carleton, Earl of Balcarras, Captain Money, Earl of Harrington, Major Forbes, Captain Bloomfield, and Lieutenant Colonel Kingston; all of whom, excepting the first, were present during the whole campaign. This evidence tended most clearly to acquit the general of every suspicion of misconduct, and to establish his character as an officer of the first abilities, and peculiarly the favourite of his army. Whether the general's orders for proceeding to Albany were peremptory or conditional, was still a matter of opinion; but two assertions were manifestly disproved, viz. that General Philips, at the time of the convention, offered to force his way, with a part of the army, from Saratoga back to Ticonderoga; and

and that the late General Fraser had disapproved the passing Hudson's River.

This examination being closed, the witnesses brought in opposition to those examined on the part of Sir William Howe, now attended. Their evidence tended to establish the great majority (two-thirds, or four-fifths) of the people attached to the British government, and that the force sent out from this country was entirely competent to have brought the war to a speedy conclusion; that the country of America did not afford any extraordinary obstructions to military operations; that the rebel force was always inferior to the reports spread concerning it. The particular manœuvres of General Howe were reprobated by some of the witnesses, particularly one, named Galloway, who had been a lawyer in America, and a member of Congress, and who had come over to General Howe at a time when the rebel cause was nearly ruined. In consequence of the charges which this person laid against Sir William Howe, that commander requested that a particular day should be appointed on which he might bring witnesses to prove the falsity of the assertions; but this was refused, and the committee soon after dissolved. The ministry were heartily tired of it, and opposition saw that it was to very little purpose to institute an enquiry where the evidence of most able and experienced commanders was to be set aside by the private opinions, and hearsay knowledge, of persons unconnected with military life, and incompetent to make their assertions good.

A naval enquiry took up the attention of the House of Lords during a considerable part of this session. This enquiry, which tended principally to the crimination of Lord Sandwich, was instituted

tuted by the Earl of Bristol, assisted by the Dukes of Bolton and Richmond, with the principal peers in the opposition. The enquiry was attended with no better success than a similar one had been in the House of Commons: papers were refused by Lord Sandwich, who pleaded his usual excuse of secrecy, and every motion was negatived by great majorities. Lord Bristol gave notice, that, on a particular day, he would move for the removal of Lord Sandwich, and wished that nobleman to be prepared for his defence. The day fixed was April the 23d, when the Lord Bristol entered on his intended business. His Lordship said, that although he had now in his hand those papers which had been refused to the house, yet he should refrain from laying open any state of our unhappy circumstances that might benefit our enemies. There were various methods of removing ministers, as, a bill of impeachment, a bill of attainder, a bill of pains and penalties, all of which tended to punish, as well as to remove; but that he should only move to address his Majesty to remove Lord Sandwich, and thus remove an evil without punishing the offender. He then made a motion, "That an humble address be presented to his Majesty, that he will be graciously pleased to remove the Right Honourable John Earl of Sandwich, first commissioner for executing the office of lord high admiral of Great Britain, and one of his Majesty's most Honourable privy council, from the said office of the first lord of the admiralty." It would be superfluous to recount all that was said on this motion. Lord Bristol brought specific charges, and Lord Sandwich made general declarations of his innocence. The majority for the rejection was as two to one. Twenty-five Lords entered

a short protest against the rejection, and Lord Bristol entered one from himself, giving his reasons for moving for the removal of Lord Sandwich. From this protest, the following appear to be the grounds of accusation. Since the year 1771, 6,917,872l. had been granted for naval purposes, more than was granted in an equal number of years, between 1751 and 1759, for the use of the navy, although we had been four years at war with France within that period. The navy was reduced from what it was in 1771, when Lord Sandwich succeeded to the head of that board, notwithstanding the immense sums granted for its support and increase since that time. No fleet was sent out to watch the motions of the Toulon fleet, nor any reinforcement sent to Lord Howe, upon intelligence of the said Toulon fleet. Admiral Keppel, with twenty sail of the line, was sent off Brest, when the commissioners of the admiralty knew, or ought to have known, that the French fleet then actually at Brest, and fitting for sea, consisted of thirty-two ships of the line. For want of reinforcement or instructions sent to Admiral Barrington, the valuable island of Dominica was lost; and no naval force having been sent to Africa, we had lost Senegal; and lastly, the admiralty, without any deliberation whatsoever, precipitately ordered a court-martial upon a commander in chief, of great rank and character; thereby frustrating the salutary intentions of that discretionary power lodged by the constitution in the lords commissioners for executing the office of lord high admiral of Great Britain; whereby all malicious and ill-founded charges (by whomsoever exhibited) may be avoided, and the union and discipline of the service not interrupted.

The parliament had now exceeded their usual length of session, and had just rejected a motion for an address of prorogation, when intelligence was brought of an event, than which nothing could have been more unfortunate, in the present situation of public affairs. This was the decided part which Spain had taken with France and America, against Great Britain. On June the 17th, the minister delivered a message to the house, which was in the following terms: "The ambassador of the King of Spain having delivered a paper to Lord Weymouth, and signified that he has received orders from his court immediately to withdraw from this country; his Majesty has judged it necessary to direct a copy of that paper to be laid before both houses of parliament, as a matter of the highest importance to the crown and people; and his Majesty acquaints them, at the same time, that he has found himself obliged, in consequence of this hostile declaration, to recall his ambassador from Madrid. His Majesty declares, in the most solemn manner, that his desire to preserve and to cultivate peace and friendly intercourse with the court of Spain, has been uniform and sincere; and that his conduct towards that power has been guided by no other motives or principles than those of good faith, honour, and justice; and his Majesty fees with the greatest surprize the pretences on which this declaration is grounded, as some of the grievances enumerated in that paper have never come to the knowledge of his Majesty, either by representation on the part of the Catholic King, or by intelligence from any other quarter; and in all these cases where applications have been received, the matter of complaint has been treated with the utmost attention, and put into

into a course of enquiry and redress." The message concluded with the firmest confidence, that the Commons, with the same zeal and public spirit which his Majesty had so often experienced, would support him in his resolution to exert all the power and all the resources of the nation, to resist and repel any hostile attempts of the court of Spain.

The opposition did not let this opportunity pass unemployed in recalling to ministry the many warnings they had received concerning the double designs of the House of Bourbon. The address, however, was passed unanimously. Lord John Cavendish moved for another, praying, that his Majesty would give immediate orders for the collection of his fleets and armies in such a manner, as that he might be enabled to exert the whole force of this country against the united force of the House of Bourbon; but this *whole force* including that in America, the motion fell to the ground. In the House of Lords, a clause of amendment, praying for a total change of men and measures, was proposed, but rejected by sixty-two to twenty-three. The Duke of Richmond then moved for another, to the following purport: That, in this critical moment, it would be deceiving his Majesty and the nation, not to represent to his Majesty, that the only means of resisting the powerful combination which now threatened the country, would be, by a total change of that system, which had involved us in our present difficulties in America, in Ireland, and at home. This motion was rejected by a majority of fifty-seven to thirty-two, and produced a very strong protest, signed by twenty lords.

Just before the adjournment, it was proposed in the House of Commons to double the national mi-

litia, as the security of the country was at all events to be provided for. This did not meet with much opposition, taking the proposal for all in all, but great debates took place on proposals of amendment. A bill was at the same time brought in, for taking away, for a limited time, the legal exemptions from being pressed to serve on board the navy, which several descriptions of men and apprentices, appertaining to the sea, or to maritime affairs, had hitherto enjoyed; and also for suspending the right of suing a writ of habeas corpus, for such breaches of those exemptions as had already taken place from the 17th of that month, or as might still take place, before the final ratification of the bill. The appearance of injustice and cruelty which this bill carried with it excited much opposition; but both it and the militia bill were passed. The militia bill received some amendments in the House of Lords, and was returned to the House of Commons in a state so mutilated, that the minister with difficulty supported the taunts of opposition, on the evident disunion of sentiments that prevailed amongst ministers, and could not help feeling himself hurt by the conduct of his colleagues.

The Spanish manifesto mentioned in the message was couched in very general terms; many charges were thrown out at random, and many facts wanted those circumstances of time and place, and that specification, which could lead to a proof. One thing, however, appeared, viz. that Spain had been employed as a mediator between England and France, and had been transacting a negotiation for above eight months. An interference of this sort was treated with great indignation by Mr. Pitt in the last war, as establishing a family compact. This had been overlooked at the treaty of Paris,

Paris, but now presented itself big with inconveniences to this country.

The prorogation took place on the 3d of July. In the speech most cordial thanks were returned for the many great and essential services parliament had rendered to his Majesty and their country, during the course of their long attendance. Approbation was bestowed on the zeal which they had manifested in the support of the just and necessary war in which he was engaged, and of the attention which they had paid to the state of Ireland. The events of war had offered the court of France no reason to triumph on the consequence of their injustice and breach of public faith; and it was trusted, that, by spirited and prosperous exertions, that ambitious power might be brought to wish that they had not, without provocation, or cause of complaint, insulted the honour, and invaded the rights of the crown. With respect to Spain, whatever colour might be attempted to be put upon the unjust proceeding of that court, his Majesty was conscious that he had nothing to reproach himself with. The warmest acknowledgments were made for those clear demonstrations of loyalty and affection to his person and government, which parliament had shewn upon that occasion; and it was considered as a happy omen to the success of his arms, that the increase of difficulties served only to augment the courage and constancy of the nation. It was said, that sufficient thanks could not be paid to the Commons for the confidence they had reposed in him, and for the cheerfulness and public spirit with which the large supplies for the current year had been granted. It was impossible to speak of the continuance of the rebellion in North America without the deepest concern; but parliament had given such unquestion-

able proofs of their sincere disposition to put an end to those troubles, that it was still hoped, that the malignant designs of the enemies of Great Britain, could not long prevail against the evident interests of those unhappy provinces.

Near the end of the preceding year hostilities commenced in the East Indies. The East India Company having formed a design of extirpating the French power in India, of which they had become exceedingly jealous, gave orders for an attack upon Pondicherry. Major General Munro, commander of the company's troops on the coast of Coromandel, about the 21st of August found his troops in sufficient strength for the siege, and immediately took possession of the bound-hedge, within cannon-shot of the fortifications; by which all communication with the country was cut off. Some unavoidable delays prevented the farther operations of the besiegers until the 6th and 7th of September, when they broke ground both on the north and south sides of the town. By this time their operations were greatly assisted by the English fleet under Sir Edward Vernon, who had sailed from Madras at the end of July, to block up Pondicherry. As soon as he arrived on his station, he perceived a French fleet, under M. de Tronjolly, consisting of one ship of sixty-four, one of thirty-six, one of thirty-two guns, and two French East India ships armed. Sir Edward Vernon's fleet consisted of one sixty, one twenty-eight, one twenty-gun ship, a sloop, and an East India-man. An engagement ensued, and with so much loss to the French, that they never once thought of hazarding another, but abandoned Pondicherry, which now was blocked up both by sea and land. The garrison, under M. de Bellecombe, governor and general commandant of all the French settlements

ments in India, made a brave defence. Before the middle of October, however, the artillery of the besiegers had gained so much superiority, that preparations were made for a general assault. On the day preceding, the governor, in order to save useful lives, and prevent bloodshed without advantage or honour, offered to capitulate. The conditions were generous, and agreeable to the conquered. About three hundred pieces of artillery, serviceable and unserviceable, fell into the hands of the victors, together with all the public property; the private was secured to the owners. The company's troops, which amounted to 10,500 men, lost about 224 slain, and had 693 wounded; the garrison, amounting to 3000, had 200 men killed, and 480 wounded.

In America, the reduction of Georgia by the King's forces inspired the loyalists in the back-parts of North Carolina with fresh hopes: they had always been discontented with their present governors, and eager to be emancipated from their subjection, they embraced this opportunity to take up arms. About seven hundred of them assembled in the back-part of North Carolina; but, before they could effect any purpose of importance, they were entirely defeated, with great havoc, by the militia. About three hundred of them, who remained alive, with some difficulty joined the royal army.

The British troops under Colonel Campbell had penetrated as far up the river as Augusta, yet the dangerous vicinity to the enemy in South Carolina determined General Prevost to recall this party, collecting at the same time his forces within so close a compass, that Hudson's-ferry, at twenty-four miles distance, was the upper extremity of the chain formed along the frontiers from the capital.

The continental troops, under General Lincoln, which had arrived for the protection of South Carolina, were posted at Parrysburgh, on the north side of the river, and about twenty miles above the town of Savannah. About two thousand more, partly militia, and partly regulars, under the command of General Ashe, were higher up the river; and upon the retreat of Colonel Campbell from Augusta, they were ordered to take post in a very strong situation on Briar-creek, leaving their baggage, and passing the river into Georgia. Here Lieutenant Colonel Prevost formed a design of attacking General Ashe; and such was the imprudence of the latter in the disposition of his troops, that the purpose was effected most completely, the Americans being surprized while off their guard, and put to flight in great bodies; a few only taking to arms, and adding somewhat to their character by an ineffectual defence. Many lost their lives in the river and swamp; and about 150 were killed, and 200 taken, along with seven pieces of cannon, almost all their arms, ammunition; and what baggage they had brought with them. The province being thus freed again from the enemy, the interest of the loyalists began to be advanced.

Until April General Lincoln kept his post, but about the beginning of May marched with the best part of his army towards Augusta, where a meeting of delegates for the province of Georgia was appointed to be held, leaving behind him, under the conduct of General Moultrie, a body of 1500 men, chiefly of the militia, to guard the passes of the river and swamps. The departure of Lincoln suggested to General Prevost the practicability of penetrating into Georgia. With this view, he passed the river in different parts, with

nearly

nearly 3000 men, and in a progress so rapid through the swamps, that Moultrie's party were intimidated, abandoned the passes, and retired towards Charlestown. After consultation with his officers, General Prevost determined to advance directly to this place. When General Lincoln understood this, he dispatched a body of infantry to its defence, and followed with his whole army. On May the 11th, the British army arrived at Ashley river, which they passed, and took post within cannon-shot from the works of Charlestown. Skirmishes ensued to little purpose; the garrison and town were required to surrender; but the terms of negotiation not being agreed to, preparations were made in the town for resistance. General Prevost, now weighing every circumstance, the strength of the enemy's works, the advance and superiority of Lincoln, and the disadvantageous nature of the country, thought proper to decamp at night, leaving a guard for the security of Ashley-ferry, and passed to the islands of St. James and St. John, which lie to the southward of Charlestown harbour, where he waited till the arrival of two frigates of war, with supplies, enabled the army to return to the southward. The taking of Port Royal became now an object of desire; its harbour, the excellent quarters which it would afford to the troops, the firm footing which it gave them in South Carolina, were considerations that weighed deeply with Prevost.

While this design was in agitation, General Lincoln, with a force estimated at 5000 men, and eight pieces of cannon, determined to attack Lieutenant Colonel Maitland, who was strongly posted at the pass of Stone-ferry, on the inlet between the continent and the island of St. John. Colonel Maitland's force consisted of only 800 men; but his post was advantageous, and the cou-

rage of his troops so well directed, that the enemy were obliged to retreat with great loss; which is partly to be attributed to the strength of the British works, and partly to a strong reinforcement which arrived, in time of the action, from the island of St. John.—The season now put a period to further operations in this quarter.

In the beginning of May, Sir Henry Clinton, with Sir George Collier, commander of the marine at New York, formed the plan of an expedition to the Chesapeake, and a descent upon Virginia. The naval and land forces were commanded by Sir George Collier and Major General Matthews; Sir George, having passed by the capes of Virginia, left part of his fleet in Hampton-road, to block up that port, and proceeded himself, with the smaller ships of war and transports, up the Elizabeth river; the troops were instantly landed, and marched up to Portsmouth, the possession of which was their first object. The passage to this town was covered by Fort Nelson, the garrison of which abandoned it upon the appearance of the King's troops; by which means not only the town of Portsmouth, but that of Norfolk, fell into the hands of these troops. The fleet and army carried destruction wherever they went, and got possession of great quantities of stores and provisions, designed for Washington's army. In shipping, the American loss was prodigious, and great hopes conceived on the part of the King's army concerning the loyalty of the province; where it was purposed, by Sir George Collier, to attempt erecting the British standard, and converting Portsmouth into a fortified place; but Sir Henry Clinton sent an immediate order for the return of the troops, which, after destroying Fort Nelson, and the store-houses and dock-yards, arrived safe at New York near the beginning of June, and joined
some

some troops under the command of Major General Vaughan, in an expedition up the North River; the naval department was still under the conduct of Sir George Collier. On the following morning General Vaughan landed the greater part of his army on the east side of the river; the remainder landed farther up, within three miles of Stoney Point: the enemy fled from them every way, but had constructed a work of considerable strength, on the opposite side of the river, called Fort la Fayette. The place was defended with great courage; but at last the garrison, amounting only to sixty or eighty men, surrendered; after which the works were completed, and orders given for putting Stoney Point in a state of security. The army was encamped at Philipsburgh, about half-way down the river to New York Island. Nothing decisive was accomplished for some time, unless desultory invasions, in which great destruction took place; forts, fortified works, being rendered useless, and even towns set on fire, by the victors, till General Clinton put a stop to the farther extension of ruin, by ordering the troops to return. It became now an object with that General to bring General Washington to an engagement; a matter of very great difficulty, as the latter had fortified himself on the high mountainous posts above Verplanks and Stoney Point, and on both sides of the North River, and well knew the inferiority of his force to that of General Clinton's.

During this state of expectation on the side of the British army, the American General Wayne undertook an expedition against Stoney Point, with a chosen detachment of the most active infantry of the American army. This place was in a strong state of defence, and garrisoned by the 17th regiment of foot, the grenadier companies of

the 71st, a company of loyal Americans, and some artillery, the whole under the command of Lieutenant Colonel Johnson. General Wayne arranged his troops with great skill, and, after a most desperate engagement, and many difficulties, succeeded in his enterprize. The number of prisoners in the garrison amounted to 543, and the killed, according to the American account, were sixty-three. This place being gained, the victors directed it's artillery against Verplanks, which obliged the shipping to cut their cables, and fall down the river. The news of this unexpected defeat quickened every motion in the British army. General Clinton advanced, with the main army, to Dobb's Ferry; the cavalry, and a detachment of his light infantry, marched forwards to the banks of the Creton River; and Sir George Collier, with the fleet, on board of which were three regiments, proceeded up the river. Stoney Point was easily regained, as General Washington did not think it proper to hazard a general engagement in it's favour; especially as his original purpose, which was the destruction of the works, and the bringing off the artillery and stores, had been successfully accomplished. The Americans were not, however, uniformly successful; for, having undertaken an expedition against Paulus Hook, which lies almost opposite to the city of New York, on the Jersey side, after some advantages gained, from having surprized the garrison, they were obliged to relinquish these, and depart with the utmost speed and loss, and without having destroyed that part of the works which they had carried.

At this time, or soon after, General Collier was suddenly called away from New York, in order to relieve a party of the King's troops, who had constructed a fort on the Penobscot, in the eastern confines

confines of New England, and were at this time besieged by a large naval force from Boston. Before his arrival, the troops at Penobscot had made a very brave defence against thirty-seven sail, and returned the fire so well, that these ships had been fain to retire for a time. Afterwards, however, having made good their landing under a heavy cannonade, and obliged the piquets to retire to the fort, they opened a battery at about 750 yards distance, and in a few days after one somewhat nearer. For more than a fortnight frequent cannonadings were supported with vigour on both sides, and at last intelligence was brought to the commander of the King's troops, that a general storm was meditated; on which he immediately threw up a small work, covered with light artillery, at about 150 yards distance, in the front of the fort. While the garrison were anxiously waiting the commencement of the attack, they observed one morning, after a very quiet night, that the enemy's camp was abandoned, the troops embarked, and the ships making off with the greatest speed. The cause of this precipitate and unexpected retreat was soon discovered to be the arrival of Sir George Collier, who chased the American fleet, and took one frigate of twenty, and another of eighteen guns; seven fine frigates, and six armed brigs, or sloops, were blown up by the Americans themselves. Twenty-four sail of transports were at the same time destroyed, and some store-ships captured. The conduct of the American Commodore Saltenhall was universally censured; and it was said, that if he had engaged, and had been worsted by the English fleet, it would have been attended with less disgrace than this his cowardly flight was.

In the West Indies, after the surrender of St. Lucia to Admiral Barrington, Admiral Byron arrived

rived to take the command. Their squadron being now superior to that of D'Estaing, they endeavoured to draw him from Port Royal to an engagement, but in vain. Even when joined by De Grasse, who arrived safe at Martinique, with a considerable force, he would not hazard a general engagement. About the same time Admiral Rowley joined the British fleet with seven ships. The troops on the island were greatly thinned by the pestilential disorders incident to the climate, a circumstance which was peculiarly distressing from the want of Dominique, and the little possibility of supplying the place of a corps distinguished for their bravery. Admiral Byron, knowing that there was a fleet of West India merchantment lying at St. Christopher's, and hearing of an intended reinforcement of D'Estaing's fleet, judged it necessary to convoy the merchantmen, for a considerable part of the way, with his whole fleet. As soon as he departed, a handful of French from Martinique, not exceeding 450 men, landed, and took St. Vincent's, which was garrisoned by seven companies of regulars, under the conduct of a Lieutenant Colonel; the garrison exceeded the invaders in numbers, and yet the latter carried their design into execution without firing a single shot. To the capitulation we find only the names of Governor Morris, and the French lieutenant. After this D'Estaing, being joined by M. de la Motte, with a supply of troops, stores, and provisions, appeared off the island of Grenada, on July the 2d, with a fleet of twenty-six sail of the line, ten or twelve frigates, and near 10,000 land forces. The force on the island consisted of 150 soldiers and artillery men, and three or four hundred armed inhabitants; it had besides a fortified hill, commanding the fort, harbour, and capital town of St.

St. George. The defence of this hill by Lord Macartney, and his little garrison, was brave and dauntless, considering that it was invested by near three thousand of the French forces under the Count Dillon. The latter, however, by their great superiority, carried the lines, after being engaged for about an hour and a half, and as the cannon, which had been taken on the top of the hill, were turned against the fort, the governor found himself under the disagreeable necessity of proposing terms of capitulation. These D'Estaing treated with a haughtiness and contempt, that does credit neither to his understanding as a man, nor his character as a soldier. He took upon him to propose terms, which were so unreasonable and extraordinary, that rather than submit to them the governor surrendered at discretion. This treatment of the garrison impressed them with very unfavourable ideas of their captor; and the many acts of oppression practised by his soldiers, made them regret their peculiar misfortune in being obliged to surrender to a commander among whose military virtues lenity to the fallen had no share.

While the French were triumphing in these successes, Admiral Byron was informed that they had taken St. Vincent's in his absence, and were about to attack Grenada; but his information concerning the strength of their fleet was particularly defective in this, that no mention was made of the reinforcement under De la Motte. The admiral, however, set sail with his fleet, consisting of twenty-one sail of the line, and only one frigate, with a great number of transports conveying the troops, and on the 6th of July came within sight of the French fleet, at break of day. The enemy were then putting out to sea, and seemingly much more
anxious

anxious to defend their new possessions, than to seek the dominion of the sea, while the British admiral was desirous to bring on a general engagement. Each took methods to pursue his different views; but the French had great advantages over the English ships, in being cleaner, and more manageable; and of course an engagement was more left to their option, as well as the situation and mode of it; whereas the few English ships, which first reached the enemy, encountered with a force so far superior to their own, as that the smallest advantage, or the honour of intrepidity, were necessarily bought at the expence of damages which they could ill support, and the loss of men whom it was not easy to supply. Hence the admiral judged it proper to give orders for a general chase, and that his ships should engage them as soon as they could get up. When he discovered the superiority of the French fleet in point of number, as he saw, at the same time, their unwillingness to hazard a general conflict, instead of taking down his signal, he made another for a close engagement. About half past seven the action was commenced by Admiral Barrington, in the Prince of Wales, and the Captains Sawyer and Gardner, in the Boyne and Sultan. These ships closed with the van of the enemy, and with incredible resolution sustained the fire of that division, but with great damage, and loss of men. Similar encounters took place at different times; but still Byron failed in bringing the enemy to a decisive engagement, so that in all the partial conflicts he could effect nothing essential; and having found, by a particular circumstance, that the French had already possessed themselves of Grenada, he directed his whole thoughts to the defence of his transports and troops. The extreme aversion of D'Estaing to



a general engagement operated in favour of the disabled part of the British ships; three of which were, at this time, a great way a-stern; and one of them, incapable of rejoining the fleet, bore away for Jamaica, at which place she arrived unmolested. There remained no obstruction in D'Estaing's way, had he thought proper to have cut off the other two, unless he acted from a supposition that an attempt to do so might serve to bring on an engagement.

In the evening Admiral Byron ordered the Monmouth, almost a wreck, together with the transports, to make for Antigua or St. Christopher's; and although his fleet was now reduced to nineteen ships, some of which were disabled, D'Estaing saw him, with great indifference, draw his inferior fleet, at about three miles distance, and did not so much as interrupt the passage of the transports. The conduct of D'Estaing was accounted very extraordinary; he had no doubt his reasons, and in obedience to those, he returned with his fleet to Grenada during the night. This mixed and confused manner of engagement injured the British fleet in a very material degree; for although the killed did not exceed 183, nor the wounded 346, yet the damage done to their ships was of a nature particularly irremediable in that part of the world. But it is on all hands agreed that the French lost a prodigious number of men; the accounts state from 2,700 to 3,000, among whom there were many officers. The French accounts, published by authority, were silent as to the number of the slain, but looked upon the event as an important victory. It was indeed a superiority that struck an universal panic throughout our West India islands; which, however, D'Estaing

confirmed no otherwise than by appearing for a whole day with his fleet off St. Christopher's.

The situation of affairs in Georgia and South Carolina demanded his presence, to counteract those advantages which the British troops had gained. Some think this movement was in consequence of fresh orders from his court, others that it was part of his original instructions. Be that as it may, the plan was big with conquest, and nothing less than the total extermination of the British power in America. Having first convoyed the homeward-bound French West India ships, till they were out of danger, he meditated the destruction of General Prevost's force, and, in conjunction with Washington, an attack both by sea and land on the British force at New York; the success and consequences of which he doubted not would put a period to the war. These hopes were at first encouraged by a man of war and three frigates falling into their hands. General Prevost was at this time at Savannah. The principal part of his forces was still at Port Royal, where they took post after the retreat from Charlestown; and the difficulty with which this force could effect a junction with the general, rendered his danger very apparent. Fortunately for him, some delay retarded the operations of D'Estaing, and it was nine days after his arrival on the coast before he anchored off the bar of Tyber, at the mouth of the river Savannah: his troops landed at Beaulieu, about thirteen miles from the town of Savannah, and the frigates approached as near to the lines as they possibly could. The force which General Prevost at this time commanded, was such as to direct his attention more to the preservation of the town, than any offensive attacks against the enemy;

enemy; his posts were therefore contracted within the cover of the artillery on the works. On the 16th of September, D'Estaing sent a summons to the general to surrender the place; giving him to understand, that as the troops which were now in array against him were the same who had taken the hospital hill in Grenada by storm, D'Estaing could not be answerable for any fatal consequences that might follow an obstinate resistance on the part of the general. This message General Prevost determined not to obey; yet, as he had not been joined by Colonel Maitland, judged it proper to return such an answer as might procure some delay. His design succeeded according to his expectation; for during a truce of twenty-four hours Colonel Maitland arrived, confirmed the garrison in their resolutions against surrender, and inspired the whole with fresh hopes and spirits; and D'Estaing now, joined by General Lincoln, prepared for a regular siege. The force on neither side has been fully ascertained; D'Estaing is said to have landed about 4,800 regular troops, besides mulattoes and free negroes; and Lincoln's force is estimated from 1,800 to 3,500 men. In the garrison, it was thought, there could not be above 3,000 in all. This unequal force, however, distinguished itself by the firmest vigour and unanimity in the defence of the place; for, instead of eight or ten pieces of cannon, which was all the strength of their lines, at the time they received the French summons, we find, at the conclusion of the siege, near an hundred pieces of artillery mounted on their works, which annoyed the enemy, by their own accounts, exceedingly. About midnight, October the 3d, the enemy began a very heavy bombardment; and the following day opened a cannonade with thirty-

seven pieces of heavy artillery, nine mortars from their land-batteries, and sixteen cannon from the water. During this cannonade, which lasted five days, the distresses of the women and children became excessive, and greatly increased by the throwing in of carcasses. To alleviate this unnecessary, and it was thought avoidable calamity, General Prevost wrote a letter to D'Estaing, requesting that the women and children should be sent on board ships in the river, and placed under the protection of a French man of war, until the siege should end. For the honour of human nature, we are sorry to add that this request was refused, and in a manner brutal and unmanly. D'Estaing endeavours to throw the blame of it on Lincoln; whatever share, however, he might have taken, it is plain he did not attempt to defend the transaction.

On October the 9th, Lincoln and D'Estaing, trusting to the superiority of their force, exerted it in a violent attack on the British lines, a little before day-light. As the firing soon became general, and as darkness obstructed observation, no change took place in the disposition of our troops. D'Estaing, with the principal troops selected from both armies, made his attack on the right, and supported it with no little courage. A redoubt on the Ebenezer road was so obstinately defended by a Colonel Taws and a Captain Wickham, that, after a most bloody conflict, in which Taws fell, the redoubt was totally cleared of the enemy, even although they had advanced so far as to plant two stand of colours on it. This important advantage was chiefly owing to a body of grenadiers and marines advancing suddenly from the lines, and charging the enemy with such spirit, as to drive them into the greatest confusion. At ten o'clock

o'clock a truce was demanded by the enemy, in order to bury their dead, and carry off the wounded; which was granted, with only a restriction concerning the distance to which the wounded should be carried. The number killed and wounded, both French and Americans, lies between a thousand and twelve hundred, of which the French acknowledge forty-four officers and seven hundred privates, on their side. Count Polaski was mortally wounded, and M. D'Estaing is said to have received two dangerous wounds. Great animosities took place in the allied camp; but, whatever was the cause or the effect of their mutual recrimination towards one another, they now began to withdraw their whole strength, and sent many polite apologies to the British camp for the refusal of their request concerning the women and children; nay, they offered a ship of war and commander for the general's family. It is needless to add, that as such favours came without the address of kindness, they were rejected with a portion of that haughtiness which superior and more worthy consciousness bestows. In a few days, upon the clearing up of a fog, it was discovered that the enemy had totally abandoned their camps. D'Estaing, about the 1st of November, departed from the coast of America; part of his fleet having been destined for France, and part of it for the West Indies. In the whole of this campaign D'Estaing exposed himself to censure; and in particular it was said, that, in this last affair, he ought to have attacked General Prevost before Maitland could have joined him, and to have proceeded with more vigour in the sap, and not have lost time in regular approaches against field-works.

While these transactions were carrying on in America, our combined enemies were not idle in other parts of the globe. In the beginning of the year France sent a squadron, commanded by Marquis de Vaudrevil, and a land force, commanded by the Duke de Lauzun, on an expedition to the coast of Africa. The British forts, settlements, and property, at Senegal, in the river Gambia, were an easy prey to this force. To Senegal the French translated the artillery garrison formerly kept on the island of Goree; which latter place being thus rendered defenceless, was seized and garrisoned by Sir Edward Hughes. About summer, the French thought of an attempt on the isle of Jersey; and on May the 1st, five or six thousand men, in flat-bottomed boats, under the convoy of five frigates and some armed cutters, appeared in sight of the island, and attempted to land in St. Owen's Bay; but being repulsed by the regulars and militia on the island, they for a time gave up the enterprize. While they were hovering round the place, Sir James Wallace put an end to the whole design, by taking some of their frigates. This attempt upon Jersey did not appear so important in itself as in it's consequences. Many thought it was a prelude to a grand invasion on Great Britain or Ireland. The preparations of both fleets and armies indeed, in every part of France, were such as justified this opinion. Why the English fleet was not sent out with a view to prevent the junction of the French and Spanish fleets, is not easily accounted for; in consequence, however, of this neglect, the combined fleet soon made it's appearance on the coast of Great Britain, consisting of near seventy line of battle ships, besides frigates and fire-ships. They entered

entered the British Channel about the middle of August, and paraded two or three days before Plymouth, but without making any attempt. The Ardent of sixty-four guns fell into their hands. Leaving the Channel, which was said to be owing to an easterly wind, although they gave out that it was in order to pursue the British fleet, they continued about the Land's End, the Scilly Islands, and the Chops of the Channel, until September. On the last day of August, the British fleet, which had been cruising under the command of Sir Charles Hardy, gained the entrance of the Channel, without being prevented by the combined fleets; which now, impaired by sickness, and damaged by weather, returned to Brest. Thus ended this formidable expedition, which, defenceless as our coasts then were, seemed to threaten the subversion of our whole empire.

It may not be improper in this place to take notice of the pretences held out in the Spanish papers, as tending to justify the junction of Spain with France. On June 16th, the Marquis D'Almodovar, the Spanish ambassador, presented a paper or manifesto to Lord Weymouth, the substance of which was, "that his Majesty of Spain had been impartial in the midst of the disputes of Britain with America and with France; that having heard that his mediation was desired, he generously offered it, proposing wise expedients for smoothing difficulties, and preventing the calamities of war; but that his proposal had been rejected in a manner that fully proved the little desire which the British cabinet had to restore peace to Europe, and preserve his Majesty's friendship; while, in the mean time, repeated insults had been offered to his ships in many parts, and his dominions in America threatened. That the In-

dian nations, called the Chatcas, Cheroquies, and Chicachas, had been raised against the innocent inhabitants of Louisiana; the sovereignty of his Majesty in the province of Darien, and on the coast of St. Blas, had been usurped; the Bay of Honduras violated by acts of hostility against the Spaniards, and the court of London had refused to accomplish what the 16th article of the last treaty of Paris stipulated relative to that coast; that although these insults had been complained of, they were not atoned for, but repeated, till they now amounted to *one hundred*. Under these circumstances, his Majesty declares himself justifiable in taking up arms." A few days after this paper had been delivered, reprisals were ordered by the courts of London; in the orders, the pretences of Spain are declared to be groundless. After this a variety of papers and declarations passed between the courts before the end of June. France led the way by a manifesto. It begins with displaying the ardency of the French King after peace, and that from repeated assurances by his Britannic Majesty he had ventured to hope for an end to those various acts of tyranny experienced by his subjects in various parts at the hands of England, from the year 1763. On the contrary, these acts had been continued; and that his Majesty had mildly remonstrated with the court of Britain, rather than give to that court any additional embarrassment in its troubles with America; that when the Americans were compelled to arm in defence of their rights, his Majesty thought himself bound to give them admission into his ports, a step which was taken by other commercial states; and although the court of London has vented bitter complaints against it, his Majesty had opposed nothing but the calmness of justice and the mode-

ration of reason ; accounting himself no judge of the disputes, yet not obliged to treat the Americans as rebels. That he had not only endeavoured to shackle the exportation of military stores, but was scrupulously exact in observing every commercial stipulation in the treaty of Utrecht, although it was daily violated by the court of London, and England, at the very time, had refused to ratify it in all it's parts ; but all his condescending acts did not satisfy the court of London, who disregarded his remonstrances, and left him under no hesitation with respect to a treaty with the United States, whose overtures he had hitherto rejected. The rest of this manifesto goes to prove the extreme unwillingness with which the King of France took up arms, and declares that the continuation of the war is inevitable ; and therefore his Majesty had invited the Catholic King to join him in virtue of their reciprocal engagements, to avenge their respective injuries, and to put an end to that tyrannical empire which England has usurped, and pretends to maintain, upon the ocean." Two royal Spanish cédulas were published at the same time, and amount to a declaration of war, and a justification of the King to his subjects for having recourse to this extremity. The following passage, concerning the refusal of the British ministry to accept of the mediation of Spain, and their applying directly to the American agents, has been considered as furnishing a poor pretence for a war, even supposing it's assertions just. " While the court of London sought to amuse that of Spain, in seeking delays, and in finally refusing to admit the honourable and equitable proposals which his Majesty made, in quality of mediator, to establish peace between France, England, and the American provinces, the British
cabinet

cabinet offered clandestinely, by means of secret emissaries, conditions of like purpose with the propositions of his Majesty. These offers and conditions were not to strange and indifferent persons, but directly and immediately to the minister of the American province residing at Paris; and that the British minister hath omitted nothing to procure, by many other methods, new enemies to his Majesty."

Next to these cédulas followed a manifesto of exceeding great length, published at Madrid, declaring the motives which have induced his Catholic Majesty to withdraw his ambassador, and act hostilely against England. Some judgment may be formed of these motives from the following abridgment of this curious paper. His Majesty begins with alledging that, in order to avoid tediousness, he must confine himself only to the greater injuries offered to him. The first of these was the encroachments made by the English upon the Spanish territories in the bay of Honduras, and their having endeavoured to excite his Catholic Majesty's subjects, in these parts, to a revolt, furnishing them with arms, and endeavouring to effect their independence on Spain. That the English had done the same on the coast of St. Blas, a province of the Darien; and that when these injuries and encroachments were represented to the court of London, the ministry pretended to be unacquainted with them. That for some years the English had made many attempts to drive the Indians into rebellion against the Louisianians; that remonstrances had been answered by evasive delays; and that in 1778, the English had attempted to raise a rebellion among the Characas, Miraquies, and Micathas Indians, which, however, had been happily frustrated by the Indians themselves. Spanish inhabitants have been compelled

to bear arms against the Americans. That to relate, with their circumstances, these and many more infringements of the treaties, violence, and usurpations, executed these late years by the English government against the Spanish dominions, would be endless. That Spain had given orders, in regard to prizes, similar to those of France. The insults offered by the English navy to the Spanish navigation and trade, from 1776 to 1779, amounted to eighty-six in number; and the complaints of the court of Spain were as many as the insults. Here some extracts were given from memorials, with their answers. They go on stating the slowness with which they proceeded to actual hostilities; that the manifest leading project of England had been to turn the arms of America against those of the House of Bourbon. The latter part of this declaration is a tedious detail of the neglect with which the mediation of the King of Spain had been treated. The whole is conveyed in an indefinite manner of assertion, but the leading motive was before now too obvious. The superiority of Britain on the seas was an object of envy, which had never failed to gall her rival powers, and, in the heat of their ambition to crush it, nothing was more easy than to hold forth a variety of offensive reasons; which, however unsatisfactory they might be to neutral powers, were still sufficient to excite their own subjects to war, and to convince that part of mankind who are more attentive to boldness of assertion than adduction of proof. Had the parties been amicably disposed towards each other, every article of this manifesto must have undergone a particular investigation. It was immediately succeeded by a justifying memorial from the King of Great Britain.

The situations of England, Scotland, and Ireland,

land, during the parliamentary recess, demand a distinct consideration. In England, the American war now appeared in all its horrors; and the jealousies and discontent which a ministry, neglectful of the remonstrances of the people had occasioned, were now greatly heightened by that chagrin which losses in trade occasion, and which have peculiarly fatal effects on minds more susceptible of despondency, than capable of reflection. Such is the present complexion of the human mind in England, that it has been said, with great justice, that they are more made for feeling than thinking. Eager, however, as opposition and their adherents appeared to be for an end to the differences with America, they were by no means averse to engage in a war with Bourbon, if happily, by healing the breaches in our colonies, it might be possible to direct the whole force of the nation against those perfidious and time-serving powers, who had evidently embraced the hour of our distress to indulge a principle of revenge rather than lawful redress, and to efface the memory of our victories over them during the last war, rather than do themselves justice for any injuries offered to them in time of peace. Considerable sums were raised, about this time, in trading towns, for the service of the navy; the insufficient state of which, and its ineffectual dispositions, were still causes of loud complaint. A few changes took place in the ministry, but of no consequence with regard to its strength or principles. Lord Stormont succeeded the Earl of Suffolk, deceased, as secretary of state for the northern department; the Earl of Bathurst succeeded Lord Gower, who resigned as president of the council; and the Earl of Hillsborough succeeded Lord Weymouth, as secretary of state for the southern department. The

The place of first lord of trade, being separated from it's connection with that of secretary of state for the colonies, was bestowed on Lord Carlisle.

In Ireland, the dissatisfaction created on the repeated refusals of the English parliament to listen to the claims of that country, was now near a crisis. The destructive encumbrances on their trade became a matter of complaint and serious concern to persons of all ranks, and some ill-timed expressions thrown out in the English parliament, raised jealousies and suspicions that were no longer to be confined to timid muttering, nor allow of that forbearance which hitherto had marked the temper of the country. All hopes of redress being at an end, associations began to be formed in various parts, and at length throughout the whole kingdom, against the purchase of British manufactures. But these were not the only associations, those of a military purpose were renewed, and, with sincere declarations of loyalty to the King and Great Britain, vast bodies of men armed themselves at their own expence, and were trained in all the arts of war; and in a few months the neighbouring kingdoms were astonished to see an army not less than fifty thousand, risen on a sudden, equipped at their own charges, and determined not only to defend their coast from foreign invasion, (which at this time there was great reason to suspect was in meditation,) but themselves against domestic usurpation. The British government beheld this revolution, as posterity will, with astonishment. Not judging it prudent, however, to incense a people already armed, they rather wished to subject the force to the controul of the crown; but every attempt to do so being received with contempt, they sent over a supply of arms, and by this means gave a sanction to a measure

sure which had been adopted without their approbation. The Irish, emboldened by the awe with which their conduct inspired their neighbours, began now to speak their sentiments with freedom, denying the authority of the British parliament over them. Their parliament repealed the penal statutes against the papists, as the English had done; and by this means the common interest was strengthened by the accession of all classes and ranks of that persuasion. A free trade with all the world was the leading object. The spirit of freedom diffused itself even over their parliament in no inconsiderable degree. In their addresses to the throne, in consequence of their meeting before the middle of October, they declared that nothing but a free trade could save Ireland from ruin. The popular clamour, too, rose so high, that their parliament found themselves under the necessity to pass a short money bill, for six months only, instead of two years, the usual time, in order to prevent the sudden prorogation of parliament.

While Ireland and England were thus divided by their reiterated complainings and accustomed discontents, Scotland was agitated by an event of a very singular nature. That country had hitherto maintained a most submissive acquiescence in the will of government, and had contributed most willingly to the carrying on the present war, and to no quarter did government look for discord less than to it; yet a cause, seemingly very trifling, kindled a flame of sedition in that country that seemed to threaten the peace and interests of the nation at large in a very material degree. This circumstance, in point of time, should have been taken notice of in our narration of the proceedings of the last session; but it was omitted, that it might now be brought nearer to a similar event in England,

land, with which it was supposed to have no little connection. When the late law in favour of the English Roman catholics was passed, some Scotch members intimated an intention to bring in a bill for extending this toleration to the Roman catholics in Scotland; confident that there prevailed in Scotland a liberality of sentiment that would take no umbrage at their proposal: the general assembly of the Scotch clergy, by a majority of above an hundred, appeared to favour the intention; a bill was accordingly preparing. But although the common people wanted a spirit of actual resistance to the bill, there were men who thought it their duty to rouse in them an abhorrence of the doctrines, manners, and zeal of popery; pamphlets were published in great numbers; an handful of obscure men formed themselves into a society called the Protestant Association, and soon extended their influence over a great part of the country. Alarmed by that shew of inveterate hatred which appeared among the lower classes of people, the Roman catholics, for their own safety, thought proper to intimate to some Scotch members, a desire that nothing farther should be attempted towards their relief. This did not appease the populace; hand-bills were dispersed, inviting all who had any regard for the interests of religion to assemble, and destroy the meeting-houses of papists. No means being used to prevent them, a mob assembled on Feb. 2, and made their first attack on the popish chapel lately erected in Chalmers's close, Edinburgh. This house they burnt to the ground; and another detachment marching to the old chapel in Blackfriar's-wynd, burnt it also. Not satiated with the destruction of the chapels, they proceeded to the private houses of some persons of the Roman catholic

tholic persuasion, where they committed every species of outrage, and next proceeded to the houses of such protestants as were deemed favourers of the intended bill: the principal of these were Dr. Robertson, and Mr. Crosbie, an advocate; but the houses of both being defended, the mob were only able to shew their intentions by breaking the windows. During all this, magistracy slept. Dragoons were sent for, and the Duke of Buccleugh's soldiers were drawn up in the streets; but it was only to be spectators of what passed, and receive wounds and insults from the mob, without liberty to defend themselves. The Lord Provost published a truly singular proclamation; in which he not only assured the people that no repeal of the penal statutes should take place, but attributes the riots to the *apprehensions, fears, and distressed minds, of well-meaning people*; at the same time assuring them, that the magistrates would interpose to prevent or punish any *future* disorders. It is inconceivable how a matter of such importance could have been passed over in a manner so trifling, and crimes of the most atrocious nature imputed to *well-meaning people*. In parliament, the conduct of the chief magistrate was severely handled. In Glasgow some rioting took place, in which a few private houses were destroyed, the loss of which was made up to the owners: in this last particular we believe Edinburgh followed their example, by levying contributions on the inhabitants. Before we leave this disagreeable subject, it may be necessary to observe, that many clergymen of that country exerted every laudable effort to check the intemperate spirit of their congregations, recommending an attention to the preservation of their own principles, as the best defence against the influence of popery;

popery; an advice which, if taken, would have prevented the disgrace which at this time fell on a people, who, under the mask of protestantism, tolerated enormities disgraceful to christianity. The disturbances we have just mentioned could not be ascribed to any remains of what has been called *ancient fanaticism*; no such spirit now remains: the presbyterian religion is in a decay so rapid, since the disuse of their confession of faith, that the only remains of it are to be found among a sect of dissenters called Seceders. Of the present fashionable religion some judgment may be formed from the printed sermons of the day. We shall soon have an unhappy cause for recurring to this subject.

On November 25, the parliament assembled. His Majesty observed, that he met parliament at a time when they were called upon by every principle of duty, and every consideration of interest, to exert their united efforts in the support and defence of their country, attacked by an unjust and unprovoked war, and contending with one of the most dangerous confederacies that ever was formed against the crown and people of Great Britain. It was mentioned, that the designs and attempts of our enemies to invade this kingdom had, by the blessing of Providence, been hitherto frustrated and disappointed. They still menaced us with great armaments and preparations; but his Majesty trusted we were, on our part, well prepared to meet every attack, and repel every insult.—“I know,” added his Majesty, “the character of my brave people; the menaces of their enemies, and the approach of danger, have no effect on their minds, but to animate their courage, and to call forth that national spirit which has so often checked and defeated the projects

" of ambition and injustice, and enabled the British fleets and armies to protect their own country, to vindicate their own rights, and at the same time to uphold and preserve the liberties of Europe from the restless and encroaching power of the House of Bourbon."—After observing that the state of Ireland had been attended to, it was recommended to consider what further benefits and advantages might be extended to that kingdom. The usual regret was expressed for the unavoidable increase of the supplies, and the conduct of the militia, and of the people in general, approved of; but no notice whatever was taken of the affairs of America, or the West Indies, or any part of the campaign.

The proposed amendments to the addresses, which, in both houses, tended to a change of ministers and measures, produced great debates, in which opposition delivered their sentiments with unusual confidence, and pointed their censures with great skill. They reprobated that ruinous system of government which had debilitated and disgraced this country, and which was particularly aggravated by its support from a secret combination. The influence of this combination was visible in every department of our executive services, and had altered the character both of our armies and navies; and the futility of our councils seemed to vie with the contempt bestowed by all the world on our arms. This system, with all its instruments, must be extirpated from any share in government before we could expect success, or to retrieve our many losses. By means, too, of this influence, our best officers had been driven from the service, and a consequent discontent pervaded every part of our navy, to the neglect of which almost every misfortune of this country was to be traced.

traced. The dominion of the sea was lost, and a British fleet had been seen flying before that of the House of Bourbon on the coast of England; no means were taken to prevent the junction of the French and Spanish fleets. Severe animadversions were thrown out against the conduct of ministry in the affair of the island of Jersey, and in the use made of the national militia. Ireland was mentioned as an additional instance of what we had to expect from the fatality which attended every part of the conduct of ministers. After particular mention of the state of our affairs in Africa, and the defenceless situation of our West India islands, it was declared that nothing less than a total alteration in men and measures could prevent the total ruin of the nation.

In favour of ministry, it was said, "That opposition ought to have been more definite in their charges, and to have founded motions on them separately; that the present single state of this country, it's being without allies, was owing to the opinion and policy of other continental powers, which powers, nevertheless, would now see their interest in joining us, to curb the ambition of the House of Bourbon. The retreat of our fleet up the Channel could not be called a flight; the commander expected a reinforcement, and the superiority of the enemy was so conspicuous, that it would have been madness to have risked an engagement. As for Ireland, as soon as her grievances appeared, they would be alleviated. It was moreover alledged, that our situation was by no means so critical as gentlemen in opposition had often represented it to be. That the address contained only expressions of duty and affection to the throne, but that the amendment implied the expulsion of all his Majesty's ministers, without a trial, and if there were any guilty, both guilty and

innocent were involved in one censure." The opposition were not satisfied with this vindication, but continued to lay to the charge of ministers every part of our misfortunes. The majorities for the rejection of the amendments were very great in both houses. Some expressions dropped by Mr. Fox, in his speech in the House of Commons, were followed by a duel in Hyde Park, between that gentleman and Mr. Adam, another member. Mr. Fox behaved with great coolness; he was slightly wounded. This is not the last duel which we shall have occasion to mention, as originating from parliamentary debates.

The first business of importance related to Ireland. This was introduced by Lord Shelburne into the House of Lords; who, after a long speech, in which he stated the neglect of ministers on every occasion where relief could have been granted, and the very extraordinary methods that had been fallen on by the Irish, moved, "That it was highly criminal in his Majesty's ministers to have neglected taking effectual measures for the relief of the kingdom of Ireland, in consequence of the address of that House of the 11th of May, and of his Majesty's most gracious answer; and to have suffered the discontents of that country to rise to such a height, as evidently to endanger the constitutional connection between the two kingdoms, and to create new embarrassments to the public counsels through division and diffidence, in a moment when real unanimity, grounded upon mutual confidence and affection, is confessedly essential to the preservation of what is left of the British empire."

They who opposed this motion, contended, that the charges implied in the censure were without proof; that the censure included ministers who had been

been so short time in office as to be incapable of meriting blame; it was certainly necessary to know what orders ministers had received concerning the affairs of Ireland, and whether they had executed those. The papers before the house shewed that ministers had gone as far in the business as their office permitted, and beyond those lengths the legislature only could proceed; and, at once to stop the mouths of opposition, the noble minister in the lower house was in a few days to bring forward certain propositions for the relief of Ireland.— But this defence did not satisfy the lords in opposition, who desired the ministers to turn their eyes to the present state of Ireland, and see whether that did not furnish incontestible proof that the relief of Ireland had been neglected, till at length, stung by contemptuous treatment, they had taken up arms in their own defence. The late president of the council, Lord Gower, not a little strengthened the hands of opposition by an animated speech against the conduct of ministers; declaring that he had seen such things pass in the council, as were sufficient to exclude a man of honour and conscience from a seat in it. To his Lordship's pointed assertions no reply whatever was made; but, on the question being put, the motion was lost by the silent oratory of a majority amounting to more than two to one.

While Lord North was preparing his plans of relief for Ireland, a motion, similar to the above, was made in the House of Commons by the Earl of Upper Ossory. In answer to this attack, the friends of ministry endeavoured to justify them, by throwing considerable blame on a gradual impolicy which had crept into the system of our trade laws; the prejudices in favour of which were so strong, as to produce petitions in abundance,

and every mark of displeasure in England, at whatsoever time gentlemen had attempted to introduce modifications of them; of course parliament, in obeying the wills of their constituents, were doing their duty, and ministers were totally incompetent to act otherwise; and that hitherto ministers had not been able exactly to ascertain the wishes of the Irish; but as these were now rendered more plain, the matter could be brought to a regular discussion.—The speeches of opposition, on this motion, were particularly pointed at the minister; whom they scrupled not to censure in the bitterest manner, as the creature of a secret combination, and who attended the house merely to collect his majority of three and two to one. As to the assertion that the complaints of Ireland were prior to the present administration, it was granted, but it was equally true that they had been increased seven-fold since the American war. Ireland, irritated by this accumulation of distress, and frequent neglect, had imitated the example set by America, for which ministers had to thank themselves. Her parliament lost its confidence in that of Britain; and, on the whole, the only particular in which she differed from America, was in not yet having proved a grave to British troops sent over for her subjugation; and this failure in the favourite system of government coercion, could only arise from the horror by which ministry now saw themselves environed. To reply to this torrent of sarcasm was a difficult task; it was attempted, however; and the motion rejected by a stroke of wit, very common of late years, a large majority.

Next day, December 7, the Duke of Richmond took a view of the enormous expence attending this war, and from it endeavoured to procure an address, praying his Majesty to reduce the civil list;
but

but ministry did not see occasion for this œconomy, nor did they think that the few amendments in the public expenditure, which his Grace proposed, could be of great utility. The motion for address was rejected by seventy-seven to thirty-six.—A few days after, Lord North laid his propositions relative to Ireland, before the House of Commons; they were three: The repeal of those laws which prohibit the exportation of Irish manufactures, made of or mixed with wool, and wool stocks, from Ireland to any part of Europe; the repeal of so much of the act of 19 Geo. II. as prohibits the importation of glass into Ireland, except of British manufacture, or to export glass from that kingdom; and third, that Ireland be suffered to trade with the British colonies in America and the West Indies, and Africa, subject to such regulations, duties, &c. as the parliament of Ireland shall impose. These resolutions were unanimously agreed to; the latter only admitting of some small delay.

The expenditure of public money, during this war, was a frequent object of animadversion. Lord Shelburne, alarmed at the enormous increase of army extraordinaries, entered on the subject with great spirit, directing his censure in a particular manner against contractors, to whom he imputed the greater part of those burdens under which the nation groaned. He asserted, at the same time, that the vast sums not accounted for by the minister plainly went to the support of a fatal system of undue influence and corruption, and concluded a speech replete with severe strictures on the conduct of ministry, by moving for some controul on the great additions continually making to the national debt. A very few words from some lords in administration, who seemed at first unwilling to make

any reply, were sufficient for the rejection of a motion which they said was grounded on assertion without proof. Lord Shelburne then moved for a committee for enquiring into the several parts of the public expenditure; this was agreed to, and the 8th of February appointed for the consideration of it. The Duke of Richmond and Lord Shelburne in the mean time received the formal thanks of the city of London. The same day on which the latter motion was made, Mr. Burke intimated his intention to introduce a bill of œconomy. Of this we need only mention here, that his proposal met with great approbation from all sides of the house, the minister excepted, who preserved a profound silence during a conversation on Mr. Burke's intentions.

The aversion of the people to the present system of administration, and their sensibility to the horrors of a war obviously ruinous to the country in all its parts, became now very conspicuous. Associations were formed in different places, particularly at York, which took the lead. Not only reformation in the executive departments of the state were aimed at, but likewise a more equal representation in parliament. Petitions were drawn up from York, Middlesex, Chester, and many other counties, praying parliament to take into consideration the impoverished state of the country, and endeavour to lighten the many heavy burdens of the people by some well-timed œconomy. Many of these petitions were signed by names that carried much weight and influence; although the legality of such meetings being doubted by many, retarded in some measure that universality of opinion which otherwise probably would have shewed itself. The great effects from trifling causes which America and Ireland exhibited,

bited, startled not a few, and the friends of administration endeavoured to improve this timidity. Their efforts, however, appeared to be very ineffectual, not even ministers themselves having so much influence in their counties as to prevent this general manifestation of public discontent. The petition from York was introduced in the House of Commons on Feb. 8, by Sir 1780. George Saville; who, in a long speech explained the motives and import of it, and challenged the minister to an open avowal of his sentiments. The minister, more vexed than intimidated, said, he did not object to the petition's lying on the table, as usual; but thought that the threatening hints thrown out by the honourable gentleman were a bad accompaniment to a petition professedly founded on truth and justice, and he hoped would not influence them who were to judge of it's merits. His Lordship was proceeding to the consideration of the supplies, when Mr. Fox attacked him in a vein of strong irony, but desired his lordship to be in no alarm concerning the threats which had caused uneasiness. The people neither had arms, nor wanted any other than the constitutional means which the country afforded them for the answer of their petitions. The other petitions, presented soon after this, occasioned little or no debate. A petition from the merchants, planters, and others, of Jamaica, concerning the defenceless state of that island, was presented by Mr. Pennant. After a debate of an irregular kind, this petition was ordered to lie on the table.

A few days after, Mr. Burke opened his promised plan of œconomy in a long and learned speech; which having been published again and again by authority, we shall only mention the heads

heads of those bills which he founded on his several facts and enquiries. The first was entitled, "A bill for the better regulation of his Majesty's civil establishments, and of certain public offices; for the limitation of pensions, and the suppression of sundry useless, expensive, and inconvenient places; and for applying the monies saved thereby to the public service." The second, "A bill for the sale of the forest and other crown lands, rents, and hereditaments, with certain exceptions; and for applying the produce thereof to the public service; and for securing, ascertaining, and satisfying, tenant-rights, and common and other rights." Third, "A bill for the more perfectly uniting to the crown and principality of Wales, and the county palatine of Chester, and for the more commodious administration of justice within the same; as also for abolishing certain offices now appertaining thereto; for quieting dormant claims, ascertaining and securing tenant-rights, and for the sale of forest lands, and other lands, tenements, and hereditaments, held by his Majesty in right of the said principality, or county palatine of Chester, and for applying the produce thereof to the public service." Fourth, "A bill for uniting to the crown the duchy and county palatine of Lancaster; for the suppression of unnecessary offices, now belonging thereto, for the ascertainment and security of tenant and other rights; and for the sale of all rents, lands, tenements, hereditaments, and forests, within the said duchy and county palatine, or either of them; and for applying the produce thereof to the public service." And fifthly, "A bill for uniting the duchy of Cornwall to the crown; for the suppression of unnecessary offices now belonging

"longing thereto; for the ascertainment and security of tenant and other rights; and for the sale of certain rents, lands, and tenements, within or belonging to the said duchy; and for applying the produce thereof to the public service." These bills, after having employed the attention of the parliament for a very considerable part of the session, were all rejected. We shall afterwards see the matter of them introduced by the author on another occasion; innumerable difficulties must always attend a scheme of a nature so extensive, and of these the learned author was ere long fully sensible.

On the 8th of February, Lord Shelburne moved for a committee, consisting of members from both houses, possessing neither employment nor pension, to examine into the public expenditure, and the mode of accounting for the same. In his motion he included some proposals of an economical tendency, and inveighed bitterly against that system of undue influence which had been substituted in the place of constitutional power. Administration turned a deaf ear to this motion; the House of Lords they thought incompetent to institute an enquiry of the intended nature; they especially reprobated the idea of excluding from a share in the committee those members who possessed places or pensions; such proposals of exclusion went to say, that those places rendered them liable to be turned from their duty. The motion was no better than a libel on the whole house. In the replies of the lords in opposition, ministers received more severe censures than they had been used to; yet when a division came to be proposed, there appeared an hundred and one for rejecting the motion, and fifty-five for passing it. Of the latter thirty-

thirty-three signed a protest against the rejection.

A few days after Mr. Burke had opened his plan, Colonel Barre intimated an intention to move for a committee of accounts, as supplemental to, and an useful enlargement of that plan, and as the only means of preventing the present blindfold method of voting large sums of the public without estimate. The minister embraced this proposal with the greatest cheerfulness, and the opposition highly commended his Lordship's seeming readiness to forward the scheme. While the Colonel, however, was preparing his propositions for this important purpose, the minister took occasion to introduce a scheme of his own invention for a commission of accounts. He said he thought this proposal coming from him would convince the house of the sincerity with which he had acceded to the motion formerly made by the honourable gentleman. The Colonel expressed great astonishment at this unexpected interference, not that he objected to it as a disappointment to himself, but as a direct violation of parliamentary rules. In every stage of the bill the minister met with great opposition. To take the bill out of the hands of another member was an irregularity which cost him more severe aspersions than we ever remember to have heard in that house, particularly when he proposed, that the commissioners should be gentlemen not in parliament. Sir Guy Carleton was one appointed; "and thus," said opposition, "they oblige a veteran commander, habituated to the duties of a military life, to change his employment for that of the pen, to which it cannot be supposed that he is qualified in any degree." The second person nominated was one in office, No-

thing could exceed the indignation which this contradictory proceeding of the minister occasioned among the opposition. They moved that the chairman should quit the chair, which was rejected, upon a close division, by an hundred and ninety-five to an hundred and seventy-three. The debate continued till four o'clock next morning, when it was put off till another day; the bill, however, notwithstanding the greatest efforts of opposition, was carried through both houses. The person in office was excluded from any share in the commission, which was the only amendment the scheme was allowed to receive from the minority.

About the middle of February, Sir George Saville moved that an account of all places held by patent from the crown, with the amount of the salaries annexed to them, and a list of the persons at present holding them, should be laid before the house; by which means the house would be enabled to form a judgment of the benefits received by the state from those places, when weighed with the expence attending them. This motion being agreed to, he made another of a similar nature concerning pensions. The minister wished to restrict the latter motion to those pensions which were paid at the Exchequer, and that only the general amount of the others, without particular specification, could be given. The amendments were carried in spite of all opposition, upon which Sir George Saville declared he should give the matter up, as the motion was now so altered as to be ineffectual for the purposes he intended. It is remarkable, however, that the minister gained his point by a majority of two only.

In the beginning of March, Lord Shelburne endeavoured to draw from ministry some explanation

tion of their conduct, relative to the dismissal of the Marquis of Carmarthen and the Earl of Pembroke, from the offices which these noblemen held, as no better reason appeared to the house, than their having voted in a particular question contrary to the will of administration. Such proceedings Lord Shelburne looked upon to be the most dangerous extent of undue influence the country had ever met with, and that parliament ought not to sit tamely under it. The principal argument which ministry and their friends used on this occasion, tended to establish the great impropriety of parliamentary interference in the dismissal of ministers, which was a privilege vested in the crown alone. Upon a division, the noble mover found himself in a minority of thirty-nine to ninety-two. His Lordship, on this occasion, had made very free with the appointment of a Mr. Fullarton, originally a clerk, to the command of a regiment. This censure Mr. Fullarton construed into that species of dishonouring aspersion which a soldier ought not to bear with patience; and after having made bitter complaints to the House of Commons, of which he was a member, he required of Lord Shelburne a meeting in Hyde Park. Lord Shelburne was wounded, but not dangerously; and the matter ended with the usual forms of duellist reconciliation. The same afternoon, March 22d, Sir James Lowther introduced the matter into the House of Commons, and reprobated this infringement on the freedom of debate. His observations were followed by reflections from both sides of the house, but the matter ended where it began. A very singular assertion was made by one of the ministers, viz. that no man, or set of men, could prevent duelling: till, however, severe laws are put in practice

practice against this savage custom, an indelible disgrace will rest with the British parliament.

There have been few sessions in which debates were carried to lengths so great, or attended with so little success in national improvement, as in this. Opposition, indeed, on some occasions, had greater numbers than usual; and the contractors' bill, when introduced, passed through the House of Commons, although it was afterwards rejected in the other; but still the friends of ministry gave them a support which was not likely soon to fail. The only arguments of importance, which we are now to collect in a brief point of view, are concerning the petitions, which amounted to about forty. April the 6th was appointed for the consideration of them. Mr. Dunning, who opened the business, observed that the main tendency of all these petitions was to interrupt the present rapid increase of the unconstitutional influence of the crown; and to recommend an economical expenditure of the public money. After expatiating at great length, and with perspicuity, learning, and shrewdness, on the various means used by some members to effect the purposes of these petitions, particularly Mr. Burke's bill, Colonel Barré's motion for a committee of accounts, Sir George Saville's motion, and others, he moved, "That the influence of the crown has increased, is increasing, and ought to be diminished." The objections of ministry to this were, that it was an abstract proposition, not supported by facts; and the Lord Advocate of Scotland, Mr. Henry Dundas, moved, that it should be amended thus; "That it is the opinion of this committee, that it is now necessary to declare, that the influence of the crown is increased, &c." The motion, so amended,

amended, was carried by Mr. Dunning; the numbers being two hundred and thirty-three who supported it, to two hundred and fifteen who voted against it. The second motion was, "That it is competent to this house to examine into, and to correct abuses in the expenditure of the civil list revenues, as well as in every other branch of the public revenue, whenever it shall seem expedient to the wisdom of this house to do so." It being twelve o'clock at night, the minister was for adjourning; but that not being attended to, he found himself still more disappointed, by the motion being carried without a division. Mr. Townsend moved, "That it is the opinion of this committee, that it is the duty of this house to provide, as far as may be, an immediate and effectual redress of the abuses complained of in the petitions presented to this house." This being likewise agreed to, Mr. Fox endeavoured to push the victory home, by moving, that the resolutions should be immediately reported; which was accordingly done, and completed the triumph of opposition over ministry; an event which was received with joy over a great part of the kingdom. Two other resolutions, moved on April the 10th, by Mr. Dunning, were carried by his party; but this success did not last long.

About this time the illness of the Speaker occasioned an unusual recess. On the 24th of April, the day for resuming business after this recess, Mr. Dunning moved for an address, that his Majesty would be pleased not to dissolve the parliament, nor prorogue the present session, until the objects of the petitions should be answered. Great debates ensued, and comprehended many of the arguments formerly thrown out regarding the influence

fluence of the crown, and the expenditure of public money. When a division was called, opposition were astonished to find the motion rejected by a majority of no less than fifty-one. Mr. Fox rose after the division, and in the most pointed language reprobated the conduct of those men, who but a few days before had voted that the influence of the crown was increasing, and who now retreated from the solemn engagements which they had entered into. Mr. Dunning followed him, and charged those members with direct treachery to the nation, considering this decision as an effectual stop to all means of answer or redress. Lord North replied in a long speech; and endeavoured to convince the house, that the present rejection by no means amounted to a neglect of that attention which the house had formerly decreed to be due to the petitions. We find, however, that it amounted virtually to this end; for, on May the 26th, when Mr. Dunning moved in a committee of the whole house, on the consideration of the petitions, that the two resolutions passed on April 10th should be reported, a motion was made, from the opposite side of the house, for the chairman to quit the chair, which amounted to a dissolution of the committee. This motion was carried by a majority of an hundred and seventy-seven to an hundred and thirty-four. Thus ended the consideration of forty petitions, signed by above one hundred thousand electors.

We come now to relate the progress of a civil commotion, the most extraordinary and alarming that had happened in England since the memorable days of Wat Tyler. It will be necessary to be particular in the origin as well as detail of this affair, and the best authorities have been consulted; although, in a period of general confusion

and alarm, it is not easy to separate the facts which really happened, from the various reports which arose from the terror of imagination.

Several meetings had taken place in the month of May, in London, of persons styling themselves the Protestant Association; of which Lord George Gordon, brother to the Duke of Gordon, and a member of parliament, became president. The object of their association was, professedly, to obtain the repeal of an act which had been lately passed, for relieving his Majesty's subjects professing the Roman catholic religion from certain penalties and disabilities imposed upon them in the 11th and 12th years of the reign of King William III. The members of the association professed great apprehensions of the increase of popery, and employed the utmost pains to procure subscriptions to a petition to parliament for a repeal of the act in favour of the papists. It was reported that more than one hundred thousand persons had signed the petition. It was also resolved, in order to give their petition the greater weight, that the association should go in procession to the House of Commons on the day that it was presented. To promote this scheme, the following advertisement was published: "Protestant Association. Whereas no hall in London can contain forty thousand persons, Resolved, that this association do meet on Friday next in St. George's Fields, at ten o'clock in the morning, to consider of the most prudent and respectful manner of attending their petition, which will be presented the same day to the House of Commons. Resolved, for the sake of good order and regularity, that this association, in coming to the ground, do separate themselves into four distinct divisions,

divisions, viz. the London division, the Westminster division, the Southwark division, and the Scotch division. Resolved, that the London division do take place upon the right of the ground towards Southwark, the Westminster division second, the Southwark division third, and the Scotch division upon the left, all wearing blue cockades, to distinguish themselves from the papists, and those who approve of the late act in favour of popery. Resolved, that the magistrates of London, Westminster, and Southwark, are requested to attend, that their presence may overawe and controul any riotous or evil-minded persons, who may wish to disturb the legal and peaceable deportment of his Majesty's protestant subjects. By order of the Association, G. Gordon, president. London, May 29."

Of what number this association consisted cannot now be ascertained; but on the day appointed, Friday June 2d, a vast concourse of people assembled, from all parts of the city and suburbs, in St. George's Fields, where they were joined about eleven o'clock by Lord George Gordon. On his arrival, they formed a ring round him; in which situation he made a short speech to them, strongly recommending a peaceable deportment and behaviour, and that in this disposition they should proceed to the house with their petition. A hand-bill was likewise distributed, inculcating the same temper. During the speech made by his lordship, the crowd, in their desire of hearing and seeing, pressed so closely around him, that, partly with the heat of the day, and partly with the largeness of their number, his lordship was near being suffocated. The throng being then removed to a little farther distance, his lordship marched them in four different bodies, accord-

ing to their four divisions of London, Westminster, Southwark, and Scotland, three or four times round the fields; after which he left them, proceeding in his carriage over Westminster-bridge to the House of Commons, in order to be at hand there, to present the petition when brought up. The committee of the association, with several other members of the society, went the same way. The rest, supposed to amount to fifty thousand, though such calculations are seldom to be depended upon, took their route over London-bridge, marching in tolerable order, and very quietly, through Cornhill, Cheapside, &c. towards Westminster, following their respective banners, on which were written the names of the divisions, with the words "No Popery," and other labels, expressive of the business of the day. Each petitioner also wore a blue cockade in his hat, some of which were ornamented with gold and silver; and many likewise had printed labels affixed to them, of the same tenor with those on the banner. At the head of the Scotch division, a Highlander marched in his country dress, with his sword drawn, and followed by a pair of bagpipes. In St. George's Fields, previous to the march, a taylor was employed to tack together the different skins, signed by the petitioners, composing a very large roll, which was carried on a man's head.

In this manner they marched on, gathering every where as they went; and when they came to Charing-Cross, were joined by fresh numbers, some on horseback and in coaches, who proceeded with them to the house. As they passed by the churches, they gave them three cheers. The Admiralty was also saluted by them as they passed; and by the time they came to New Palace-Yard, the

the company which passed over Westminster-bridge having joined them, their numbers were now so large, that Old Palace-Yard, with Westminster-Hall, and all the avenues about both houses of parliament, were entirely filled with them.

In this situation they waited the arrival of the members of both houses, many of whom were very roughly treated by them in their way to the house. Among these, their principal vengeance seems to have fallen upon the peers, both spiritual and temporal, particularly on the Archbishop of York, whose carriage they stopped, and greatly insulted him; the Lord President, whom they seized, jostled, and kicked on the legs; Lord Mansfield, whom they stopped, and reviled to his face; Lord Stormont, whose carriage they took possession of for nearly half an hour, getting upon the box and wheels, taking great liberties with his lordship's person; and they might not, perhaps, even then have parted with his lordship, had not a gentleman jumped into the carriage, and prevailed upon the populace to desist. The Duke of Northumberland was treated rather favourably, but lost his watch. Lord Boston was severely handled by them, and the Bishop of Litchfield met with nearly the like treatment. Besides these, the Lords Hillsborough and Townsend, (who went together in the same carriage,) with Lord Wilsoughby de Broke, and Lord Ashburnham, were very roughly handled; the two former losing their bags, and the two latter being buffeted about for some time. Lord St. John and Lord Dudley received likewise strong marks of the rioters' resentment. The Bishop of Lincoln (Thurlow) hardly escaped with his life: the humanity of Mr. Atkinson, an attorney, in Westminster, admitted his lordship into his house, at the risk of his pro-

perty and life; and the bishop, in disguise, got away over the tops of the houses. The Commons fared better individually; though collectively they were justly under still greater apprehensions than the Lords. But Mr. Strahan and Welbore Ellis experienced much rough treatment; the former had his carriage considerably damaged, and Mr. Ellis was purled to the Guildhall, Westminster, the windows of which the populace broke in their fury, and then getting at the object of their pursuit, treated him with much roughness. Lord Trentham likewise received a considerable degree of insult, and had the front-glass of his vis-a-vis broken. When Lord North made his appearance, it was with difficulty he found his way to the Commons, being stopped on the stair-case by several of the members of the association. Lord George Germaine, too, on his arrival, was much hissed and groaned at, and porter thrown into his face. The mob twice attempted to force their way into the House of Commons; and it was with difficulty the members got either in or out. They attempted also the House of Lords; but by the excellent management of Sir Francis Molyneux, and the exertions of the door-keepers, were kept out. However they filled the lobby of the House of Commons, and pressed so violently against the door, that the members might truly be said to be blocked up. Most part of the day was spent in that house in debates relative to the mob; but when the house had regained some degree of order, Lord George Gordon introduced his petition, which he said was signed by near an hundred and twenty thousand protestant subjects, "praying the repeal of the act of last session in favour of the Roman catholics," and moved to have the said petition brought up. Mr. Alderman Bull
seconded

seconded his motion, and leave was given accordingly. In the interim, while this business was in agitation, Lord George was frequently called upon to disperse his followers. After several addresses, which have been variously reported, and are indeed of little consequence, he advised them to depart peaceably, and rely upon the goodness of their gracious King, who, now that he knew the desires of his people, would be ready to meet their wishes. With this assurance, as soon as the house broke up, most of them dispersed; and the guards, who had been sent for, and had arrived, were in a short time after ordered home.

We have been thus particular in detailing the conduct of Lord George Gordon's tumultuous followers, because these facts will throw considerable light on the events which followed; for though order and tranquillity were re-established in this part of the town, it was far otherwise elsewhere. The mob paraded off in different divisions from Palace-Yard, and some of them went to the Romish chapel in Duke-street, Lincoln's-inn-fields, and others to that of Warwick-street, Golden-square; where, finding little or no opposition, they pulled down the altars, ornaments, and furniture, and committed the whole to the flames. A party of the guards came too late to prevent this mischief, but thirteen of the rioters were taken; and the rest, on the appearance of the military, instantly dispersed. The day following passed in tolerable quietness; but on Sunday in the afternoon the mob met at Moorfields, and, as it were in an instant, collected a body of several thousands, who, on the cry of "No papists! Root out popery!" presently attacked the popish chapel in Rope-maker's-alley, the inside of which

they totally demolished, and brought the altar, images, pictures, seats, and every moveable, into the street, where they committed them to the flames. About half after nine a party of the guards arrived, when the mob immediately began to disperse. Some few accidents happened on the approach of the military, but no person was this night killed by the soldiers. Encouraged by this liberty, they began on the following day to grow more daring and desperate. Early on the Monday they demolished the school-house, and three dwelling-houses, in Rope-maker's-alley, belonging to the priests, with a valuable library of books. They now threatened the destruction of all who should oppose them; and divided into different parties, and for different purposes. One party shewed itself before Lord George Gordon's, in Welbeck-street; another party went in triumph to Virginia-street, Wapping; a third directed their march to Nightingale-lane, East Smithfield; and while the first party gutted (as their term was) the house of the excellent Sir George Saville, on pretence of his having brought in the obnoxious bill, and those of Mr. Rainsforth, of Sranhope-street, and Mr. Maberly, of Little Queen-street, for giving evidence against the rioters on Saturday, the other parties destroyed the popish chapels in their respective routes, insulted the catholics, plundered their houses, and brought out and set fire to their furniture. This day a proclamation was issued, offering five hundred pounds reward for the discovery of the persons concerned in destroying the Sardinian and Bavarian chapels. This day, also, the rioters apprehended on Saturday were re-examined, and five of the most active committed to Newgate; to which gaol they were escorted by a party of guards, who, on their return,

return, were pelted by the rioters ; but such was the humanity of their commanding officer, that he restrained his men from firing upon them, as they appeared to him wholly unarmed. In vain had a resolution of the Protestant Association been circulated in the morning, requesting all true protestants to shew their attachment to their best interest, by a legal and peaceable deportment. It was not an attention to the united prayers of the protestant petition that the ringleaders now had in view; yet were those seemingly tumultuous persons so cautious, that they had scouts upon the watch in all the avenues, and on the first intimation of the approaching military, the whole body instantly vanished, as if by enchantment. This, however, is the only instance of any thing like concert or design among them; in all other respects they were a disorderly multitude, whose object was general mischief, without any fixed plan. During all this time, the Lords, Commons, Magistrates, and persons in power, of every denomination, in the great and populous cities of London and Westminster, seemed to be panic-struck; so that no proper measures had hitherto been adopted for suppressing these alarming riots.

On Tuesday, a day which had been appointed to take the protestant petition into farther consideration by parliament, the multitude that assembled about the parliament-house was no less numerous than that which surrounded it on the preceding Friday. They did not, as before, regularly assemble in St. George's Fields, but came in small parties, from different places. At first they seemed orderly, but apparently resolute. In the course of the afternoon more parties arrived, and they began, by degrees, to be more tumultuous. Lord Sandwich, however, was the only person who
suffered

suffered violence, and he was instantly rescued by Colonel Smith; who, with a party of horse, escorted him back to the Admiralty, from whence he wrote to Lord Mansfield, stating his case. On reading his letter in the House of Peers, Lord Ravensworth expressed his indignation that the house should still be in a situation so truly mortifying, that their lordships could not, without personal danger, take their seats in that house. He was followed by Lord Denbigh, who complained of the insults himself had suffered, and objected to the sitting of the house under such circumstances. In this he was supported by Lord Radnor. The Earl of Hillsborough begged of the noble lords to point out any other mode of proceeding, for the security of their lordships' persons, than that taken by his Majesty's ministers; and Lord Bathurst said, that every power of the constitution had been employed, and would continue to be employed, to secure the freedom of their deliberations; but, notwithstanding these assurances, the house soon broke up, and adjourned to Thursday.

In the House of Commons they went still farther, and declared that no act of theirs could be legal while the house was beset with a military force, and under apprehensions from the daring spirit of the people; yet some resolutions to the following purport were agreed to: 1. That it was a high and dangerous breach of the privilege of parliament, to insult or attack members coming to attend their duty in that house. 2. That a committee be appointed to enquire into the outrages, and discover the authors. 3. That his Majesty's attorney general be ordered to prosecute the persons already in custody, charged with destroying the houses and chapels of foreign ambassadors.

bassadors. 4. That compensation be made to the sufferers. These resolutions passed unanimously. During the sitting of the house an attack had been made on the residence of Lord North, in Downing-street; but a party of light horse went and repulsed the assailants. On the rising of the house, Lord George Gordon repaired to the corner of Bridge-street, informing the populace what had been done, and advised them to depart quietly. In return, they unharnessed his horses, and drew him in triumph, together with Sir Philip Jennings Clerke, who had accompanied him, and who had applied to him for protection, to the house of Alderman Bull. While a party of the rioters were thus employed, Justice Hyde, with a party of the guards, endeavoured to disperse the rest. At first they pressed hard upon the guards; but the guards, in their turn, soon advanced upon them, and rode furiously among them. They did not attempt again to face the military.

In the evening, about seven o'clock, the rioters, resenting the activity of Justice Hyde, a detached party attacked his house in Lisle-street, stripped it of the furniture, and burnt it before his door. A party of the guards, as usual, arrived too late; the mischief was done, and the rioters fled. Newgate was now their next concern, and to release their confined associates the object they had then in view. Like regular assailants, they did not proceed to storm before they offered terms; they called upon the keeper to release their comrades, as the only means to save his mansion. This he peremptorily refused to do; but dreading what would happen, he went to the sheriffs, to know their pleasure. In cases of emergency, delays are dangerous; while the magistrates were affecting to deliberate

deliberate on a matter which did not require a moment's thought, the gaol was set on fire, and on his return Mr. Akerman found his house in flames. A party of constables, nearly to the number of an hundred, came to his assistance; these the rioters suffered to pass, till they were entirely encircled, and then attacked them with great fury, broke their staves, and converted them into brands, which were hurled about wherever the fire appeared but faintly kindled. It is scarcely to be believed with what celerity a gaol, which to a common observer appeared to be built with nothing that would burn, was destroyed by the flames; nor is it less astonishing, that, from a prison thus in flames, a miserable crew of felons in irons, and a company of confined debtors, to the number, in the whole, of more than three hundred, could all be liberated as it were by magic, amidst flames and firebrands, without the loss of a single life; some from the gloomy cells of darkness, in which the devoted victims to public justice were confined, and others from inner apartments, to which the access in tranquil times was both intricate and difficult. These liberated felons instantly went to Bow-street, where they broke into and demolished the public office, and Sir John Fielding's dwelling-house adjoining. The justice, who had committed most of them, appeared to them the first object of vengeance.

The mob, not contented with these devastations, repaired to the house of the venerable Lord Mansfield, in Bloomsbury-square. A detachment of the guards being sent for, the civil magistrate gave directions to fire on the rioters, by which some were killed, and others wounded; but, as was invariably the case hitherto, not till they had destroyed by fire his lordship's furniture, mortgages, books,

books, and manuscripts; after which they got at the liquors, and intoxicated themselves with them to the highest degree; they then set fire to the house, and entirely destroyed it. A large body of the mob then set off to destroy his lordship's fine seat at Caen Wood; but happily, on their arrival there, they found a large body of the military had got possession of it, about half an hour before them; on which they retired, without making any attempt. Another party of the mob entered a pawnbroker's in Golden-lane, gutted the house, and burnt all the furniture and goods. The house of a Mr. Lyon, in Bunhill-row, shared the same fate. In Clerkenwell, the two prisons were set open, and all the prisoners released. In Great Queen-street, Lincoln's-inn-fields, the house of Justice Coxe was destroyed. These and many other outrages, committed in various parts of the town, closed the terrible scene of this night's riots.

Next day, the seventh, the violence of the populace, instead of diminishing, or being glutted with the destruction, terror, and consternation they had already spread, seemed to be considerably increased; which is not much to be wondered at, when we consider, that all the prisoners in Newgate, Clerkenwell Bridewell, and New Prison, were let loose on the terrified inhabitants of the thunder-struck metropolis. Some even had the audacity to go into public houses, and call for what provisions and drink they thought proper, without paying for any, nor dared the affrighted publicans ask for payment; on the contrary, they thought themselves happy that they had not their houses pulled down. Others, still more daring, even knocked at the doors of private houses at noon-day, and extorted contributions from the inhabitants. Numbers of the mob paraded early in the

the morning, with blue cockades in their hats : all the hackney-coachmen were obliged to wear the same token, and "No Popery" was written upon several parts of almost every house in the city : in some streets they were even obliged to hang blue flags and ribbons out of the windows.

In the borough of Southwark great outrages were also committed : some popish chapels, and other buildings, in various parts, were burnt, particularly about Kent-street and its environs. An attempt was likewise made to fire the Marshalsea ; but here the military soon repelled the rioters ; and many of the substantial inhabitants of the borough having armed themselves, sallied forth upon a large body of the rioters in Tooley-street, killed and wounded several, took others prisoners, and put the rest to flight ; but the King's Bench prison, with three houses adjoining, a tavern, and the New Bridewell, were set on fire, and almost entirely destroyed. As soon as the day was drawing to a close, one of the most awful and dreadful spectacles this country ever beheld was exhibited. The mob had not only declared their resolution to fire the prisons, and some private houses, but had avowed their intention to destroy the Bank, Gray's Inn, the Temple, Lincoln's Inn, the grand arsenal at Woolwich, and the royal palaces. An universal stupor had seized the minds of men ; they looked at one another, and waited with a resigned consternation for the events which were to follow. Nothing could convey a more awful idea of the mischief which was dreaded, than the strong guard which was placed in the Royal Exchange for the protection of the Bank ; as nothing perhaps could have equalled the national desolation, had the purposes of the insurgents upon this place succeeded ; and an attack was actually made upon it. Soldiers

diers were distributed at Guildhall, in the inns of court, in almost every place tenable as a fortification, and in some private houses; and the cannon was disposed to the best advantage in the Park.

With minds thus predisposed to terror by so many objects of devastation, and in a city which but a few days before enjoyed the most perfect tranquillity, let our readers judge what the inhabitants felt, when they beheld, at the same instant of time, the flames ascending and rolling in vast and voluminous clouds from the King's Bench and Fleet prisons, from New Bridewell, from the toll-gates on Blackfriars-bridge, from houses in every quarter of the town, and particularly from the bottom and middle of Holborn, where the conflagration was horrible beyond description. The houses that were first set on fire at this last-mentioned place, both belonged to Mr. Langdale, an eminent distiller, and contained immense quantities of spirituous liquors. It is easy to conceive what fury these would add to the flames; but to form an adequate idea of the distresses of the neighbouring inhabitants, or indeed of the inhabitants in every part of the city, is not so easy. Men, women, and children, were running up and down with beds, glasses, bundles, or whatever they wished most to preserve. In streets where there were no fires, numbers were removing their goods and effects at midnight. The shouts of the rioters were heard at one instant, and at the next the dreadful report of the soldiers' musquets, as if firing in platoons, and at various places: in short, every thing that could impress the mind with ideas of universal anarchy, and approaching desolation, seemed to be accumulating. Sleep and rest were impracticable; the streets were swarming with
people;

people; and uproar, confusion, and terror, reigned in every part.

An order had been issued this day, by authority of the King in council, "for the military to act without waiting for directions from the civil magistrates, and to use force for dispelling the illegal and tumultuous assemblies of the people." Accordingly, many of the rioters were killed, in consequence of the exertions of the military, in different parts of the town. The Northumberland and Surrey militia were this evening particularly active in the suppression of the riots; as was also the London military association. A court of common council was held late in the evening, when the lord mayor acquainted them, that the cause of calling them together was the tumults that existed in the city, and desired to have their advice. Several letters from the secretaries of state were read. The court unanimously came to the following resolutions: That the sheriffs of London be desired to raise the *posse comitatus* immediately, and to pursue, with the lord mayor, and other magistrates of this city, the most effectual legal means for restoring the public peace; that the thanks of the court be given to the military association, for the offer of their services to restore the peace of the city, and that it be recommended to the sheriffs of this city to accept their offer; that the sheriffs of London be requested to take the military force under their command, and endeavour particularly to protect the Mansion-house, Guildhall, Bank of England, or any other place that is in danger; and that the thanks of this court be given to the officers of the militia of the city of London, for the voluntary offer of their services, and that they be requested to put themselves under the direction of the sheriffs

riffs of London. A royal proclamation was also issued, charging and exhorting all his Majesty's loving subjects to keep themselves quietly within their respective dwellings; and declaring that effectual orders had been given for an immediate exertion of the military force, in order to suppress the riots.

Necessity at length produced something like exertion. The guards having been found insufficient in number to defend the various parts of the metropolis, all the troops and militia within thirty miles were sent for, and on the eighth, as well as the preceding day, several corps arrived. Before the end of the week there were at least twenty thousand troops in London; who were stationed, as they came in, at the different places supposed to be in most danger; the Bank, Exchange, Post-office, Guildhall, inns of court, &c. and in many private houses. A strong guard was stationed at Buckingham-house, for the protection of his Majesty. The guards were encamped in St. James's Park, and the marching regiments and militia in Hyde Park. Several of the rioters were taken up this day in different places. Many were found drunk upon the ruins of Mr. Langdale's house, and at Newgate, with the liquors found at both places; others were found secreted in several obscure parts. The exertions of the military, by degrees, completely quelled these alarming riots; though not till many lives had been lost. The arrival of such large bodies of troops in the metropolis and it's neighbourhood, continued to keep things quiet, and tranquillity was once more restored. The number of the rioters killed was nearly three hundred. Many were afterwards tried, and executed in various parts of the town, near the scenes of their respective depredations.

Lord George Gordon was committed to the Tower, on a charge of high treason; of which, however, he was acquitted on his trial, the following winter.

The minuteness with which we have recorded the whole of this extraordinary affair will not be without it's use, if from this account posterity learns to avoid the causes which in this case led nearly to the destruction of the metropolis. We have to observe, in the first place, that the leading members of the Protestant Association took great pains to demonstrate that their society had no concern in the riots; and this they attempted, by disavowing the conduct of the rioters, and by declaring that, in all the subsequent trials, it was not proved that any one of the rioters was among the association in St. George's Fields: but these excuses are made with a very bad grace, when we recollect the dangerous and personal insults offered to the members of both houses of parliament, on the days this association assembled; and when we recollect that the depredations which followed were directed, at first, against the chapels and houses of the Roman catholics. All this was expressly in the true spirit of intolerance and persecution, which dictated their opposition to the obnoxious act of parliament. With respect to the assertion that no one of the rioters was a member of the association, it is at least liable to suspicion. Men who assembled to awe the deliberations of parliament, and personally to insult the Commons and Lords, were rioters in every sense of the word, and guilty of a very high crime. The right of individuals to petition parliament is indisputable; but it was not in the very nature of things, that so immense a concourse of people could be assembled without laying the foundation for a riotous temper and disposition. The order of our accounts suf-

ficiently shews, that, whatever the intention of the well-disposed members of this association might be, their assembling directly and immediately produced the riots, for which there was at first no other pretext than a dread and abhorrence of popery.

It may be remarked also, how dangerous it is to assemble a great concourse of people, low, illiterate, and tumultuous, upon any pretence. This mob at first directed their hostilities against the Roman catholics: here was something like a principle, though a very bad one; but no sooner had their evil dispositions (and that disposition must be evil that leads to persecution) been glutted with these first objects of their indignation, than they began to destroy all property, and endanger all persons, in defiance of every constituted authority. How this mob, however, came to acquire such an ascendancy, is a matter of astonishment. They were, it is very remarkable, always unarmed, unless with weapons proper for the destruction of houses, and they always fled on the appearance of the military; but that appearance, the reader may have observed, was never made till too late. The city magistrates were uncommonly remiss; and the guards, which could have soon quelled the most dangerous of these riots, had no authority, until it became necessary to put the whole city under military discipline. It has been remarked, that some of the common people probably engaged with more readiness in the riots, from the unpopularity of the administration, at least among persons of that class; and, perhaps, so much violence and disorder could not have happened under any administration which had been universally respected by the common people.

On June the 19th, the parliament was opened by a speech from the throne, in which his Majesty observed, that the outrages committed by bands of desperate and abandoned men, in various parts of this metropolis, broke forth with violence into acts of felony and treason, had so far overborne all civil authority, and threatened so directly the subversion of all legal power, the destruction of property, and the confusion of every order in the state, that his Majesty found himself obliged, by every tie of duty and affection to his people, to suppress in every part those rebellious insurrections, and to provide for the public safety, by the most effectual and immediate application of the force entrusted to him by parliament. They were informed, that his Majesty had directed copies of the proclamations, issued upon that occasion, to be laid before them; that proper orders had been given for bringing the authors and abettors of these insurrections, and the perpetrators of such criminal acts, to speedy trial, and to such condign punishment as the laws of their country prescribed, and as the vindication of public justice demanded. His Majesty concluded with renewing his solemn assurances, that he had no other object but to make the laws of the realm, and the principles of an excellent constitution in church and state, the rule and measure of his conduct; and that he should ever consider it as the first duty of his station, and the chief glory of his reign, to maintain and preserve the established religion of these kingdoms, and, to the best of his power, to secure and to perpetuate the rights and liberties of his people.

The addresses, in answer to this speech, were carried without opposition. It was remarked, however,

however, that the dreadful height to which these riots had proceeded, from the most insignificant beginnings, was entirely owing to neglect, in not calling forth the civil power at the first appearances. Next day, in a committee of the whole house, it was determined that no repeal should take place of the act in favour of the Roman catholics, as the grievances said to arise from it were imaginary; the following resolutions were moved for and agreed to, in order to set the conduct of parliament in a fair light, and to undeceive the ill-informed but well-meaning part of the petitioners: "That the effect and operation of the act passed in the 18th of his present Majesty, for relieving his subjects professing the popish religion from certain penalties and disabilities, imposed on them by an act of the 11th and 12th of William the Third, have been misrepresented and misunderstood. That the said act of the 18th of his present Majesty, does not repeal or alter, or in any manner invalidate or render ineffectual, the several statutes made to prohibit the exercise of the popish religion, previous to the statute of the 11th and 12th of William the Third. That no ecclesiastical or spiritual jurisdiction or authority is given, by the said act, to the Pope, or the see of Rome. That this house does, and ever will, watch over the interests of the protestant religion with the most unremitting attention; and that all attempts to seduce the youth of this kingdom from the established church to popery, are highly criminal according to the laws in force, and are a proper subject of further regulation. And, that all endeavours to disquiet the minds of the people, by misrepresenting the said act of the 18th year of the reign of his present Majesty, as inconsistent

inconsistent with the safety, or irreconcilable to the principles of the protestant religion, have a manifest tendency to disturb the public peace, to break the union necessary at this time, to bring dishonour on the national character, to discredit the protestant religion in the eyes of other nations, and to furnish occasion for the renewal of the persecution of our protestant brethren in other countries."

Farther to quiet the minds of the nation, a bill was passed in the House of Commons, "for affording security to the protestant religion from any encroachments of popery, by more effectually restraining papists, or persons professing the popish religion, from teaching, or taking upon themselves the education or government of the children of protestants." The majority of the House of Peers seemed to favour this bill, but some of them considered it as unworthy of that House to pass a bill forced upon them by outrage. In order to set it aside, a motion was made and carried, that it should be read a third time on that day week; and, as the prorogation took place before that time, this motion amounted to a total rejection. In the same house, a matter of a peculiar cast was introduced by the Duke of Richmond. During the riots, Lord Amherst had written a letter to Colonel Twissleton, who commanded the military forces in the city of London, ordering him to disarm all persons who did not belong to the militia, nor bore arms under the royal authority. The Duke of Richmond moved, that all the letters which had passed on this occasion should be read, together with a plan of an association by the lord mayor, and the declaration of rights, in the 2d of William and Mary. He then

then proposed the following resolution; "That the letter of Jeffery Lord Amherst, dated the 13th of June, to Colonel Twisleton, then commanding an armed force in the city of London, in which he orders him to disarm the inhabitants, who had armed themselves for the defence of their lives and properties, and likewise to detain their arms, contained an unwarrantable command to deprive the citizens of their legal property, was expressly contrary to the fundamental principles of the constitution, and a violation of one of their most sacred rights, as declared in the 2d of William and Mary, that every protestant subject of this empire is entitled to carry arms in his own defence." The other members, on the side of opposition, maintained that this was a matter of serious consequence, and that the letter in question ought not to be allowed to descend to posterity, without some mark of disapprobation. The ministry replied, that although Englishmen had a right to arm in defence of themselves, their property, or even that of their neighbours, yet allowing them to assemble in bodies might be attended with the worst of consequences. They did not, in direct terms, approve the letter written by Lord Amherst, but they believed it written in a hurry, and by an officer whose constant employment in the field kept him ignorant of all the privileges of the bill of rights. The question, accordingly, was rejected without a division. An attempt of the same kind, made in the House of Commons, was attended with similar success.

At length this tedious session, this war of words, drew to a close. On Saturday, July the 8th, his Majesty closed it with a speech, in which he expressed his satisfaction that he was able to deter-

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mine this long session of parliament, that they might be at liberty to return to their several counties, and attend to their private affairs, after so laborious a discharge of their duty in the public service. His Majesty embraced this opportunity of expressing his sincere acknowledgments of the fresh proofs they had given him of their affectionate zeal for the support of his government, and of their just estimation of the real and permanent interests of their country. Their magnanimity and perseverance in the prosecution of this just and necessary war, had enabled him to make such exertions, as would, he trusted, by the assistance of Divine Providence, disappoint the violent and unjust designs of his enemies, and bring them to listen to equitable and honourable terms of peace. These exertions had already been attended with success by sea and land; and the late important and prosperous turn of affairs in North America, afforded the fairest prospect of the returning loyalty and affection of his subjects in the colonies, and of their happy re-union with their parent country. The Commons were thanked for the large and ample supplies which they had so cheerfully granted, and for the confidence they reposed in his Majesty. A promise was made, that no attention should be wanting, on his part, to render them effectual, and to see them faithfully applied. His Majesty concluded with earnestly recommending to both houses to assist him, by their influence and authority, in their several counties, as they had by their unanimous support in parliament, in guarding the peace of the kingdom from future disturbances, and watching over the preservation of the public safety; that they should make his people sensible
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of the happiness they enjoy, and the distinguished advantages they derived from our excellent constitution, both in church and state, warn them of the hazard of innovation, and point out to them the fatal consequences of such commotions as have already been excited. "Let it be your care," added his Majesty, "to impress on their minds this important truth, that rebellious insurrections, to resist or to reform the laws, must end either in the destruction of the persons who make the attempt, or in the subversion of our free and happy constitution."

On the first of September, a proclamation was issued for the dissolution of this parliament, and for calling a new parliament, the writs for which were to be returnable on Tuesday the 31st of October following.



END OF VOL. II.

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